

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Madison-Kipp Corporation
201 Waubesa Street
Madison, Wisconsin 53704**

ATTENTION:

**Mr. Robert M. Johnston
President & COO**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Madison-Kipp Corporation (MKC) to submit certain information about the facility at 201 Waubesa Street, Madison, Wisconsin, comprised of both the Atwood Plant and the Fair Oaks Plant (together, referred to hereinafter as the "facility"). Appendix A provides the instructions needed to respond to this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

MKC owns and operates an emission source at the Madison, Wisconsin facility. We are requesting this information to determine whether your emission source is complying with the Wisconsin State Implementation Plan.

MKC must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

MKC must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

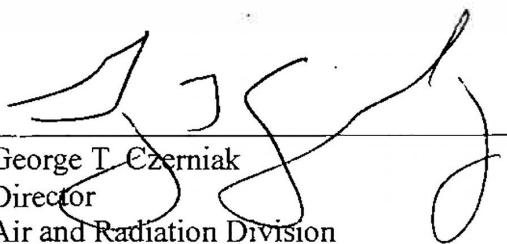
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject MKC to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Eleanor Kane at (312) 353-4840 or kane.eleanor@epa.gov.

2/4/14
Date


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each disk or drive so that each document can be accurately identified in relation to your response to a specific question. We recommend the use of electronic file folders organized by question number. In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

MKC must respond to the following information request pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). MKC must submit an emission test plan, conduct emission testing, and submit all other information requested in accordance with the schedule specified below:

Submit Testing Protocol(s)	Within 30 days of receipt of this request
Notification of Intent to Test	Not less than 21 days before testing
Complete Testing	Within 75 days of receipt of this request
Submit Testing Report	Within 30 days of completion of testing

1. Within 75 days after the receipt of this request, perform the following emission tests:
 - a. At the Fair Oaks Plant Furnace and the Atwood Plant Furnaces, quantify the mass emission rate of particulate matter (including total PM, PM10, and PM2.5), and test for opacity by performing stack testing using EPA Reference Methods 9, 201A, and 202.
 - b. At the Atwood Plant Furnaces, quantify the mass emission rate of chlorine (Cl) and hydrogen chloride (HCl) using EPA Reference Method 26A.
 - c. At the Atwood Plant Furnaces, quantify the mass emission rate of polychlorinated dibenzo-p-dioxins (PCDD's) and polychlorinated dibenzofurans (PCDF's), including 2,3,7,8- tetrachlorodibenzodioxin (TCDD), using EPA Reference Method 23.
2. During the testing conducted pursuant to Item 1 above, MKC should operate the facility at maximum production rates and under representative conditions, particularly with respect to chlorine use.
3. Within 30 days after receipt of this request, MKC shall submit to EPA the proposed testing protocol(s) that completely describes the methods and procedures for testing at each plant. MKC shall conduct the required testing under a protocol approved in advance by EPA. The protocol shall address the requirements of Item 1.a. through 1.c. of this information request. You may submit the protocol by email.
4. At least 21 days prior to the planned test date(s), MKC shall submit notification to EPA of its intent to perform emission testing. You may submit this notice by e-mail.

5. Within 30 days after completion of those tests, MKC shall submit a complete report of the emissions testing on its facility, including, at a minimum, the following:

a. Summary of Results

1. Results of the above specified emission tests;
2. Process and control equipment data related to determining compliance;
3. Discussion of test errors;
4. Discussion of any deviations from the reference test methods; and
5. Production data.

b. Facility Operations

1. Description of the process and control equipment in operation;
2. Operating parameters of the furnaces and related equipment, including chlorine injection and nitrogen use, at the time of the test; and
3. Facility operating parameters that demonstrate that the facility was being operated at maximum production rates.

c. Sampling and Analytical Procedures

1. Sampling port location(s) and dimensions of cross-section;
2. Sampling point description, including labeling system;
3. Brief description of sampling procedures, including equipment and diagram;
4. Description of sampling procedures (planned and accidental) that deviated from any standard method;
5. Brief description of analytical procedures, including calibration;
6. Description of analytical procedures (planned or accidental) that deviated from any standard method; and
7. Quality control/ quality assurance procedures, tests, and results.

d. Appendix

1. Complete results with example calculations;
2. Raw field data (original, not computer printouts);
3. Laboratory report, with signed chain-of-custody forms;
4. Calibration procedures and results;
5. Raw process and control equipment data, signed by plant representative;
6. Test log;
7. Project participants and titles; and
8. Related correspondence.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide

Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Mr. Robert M. Johnston
President and COO
Madison-Kipp Corporation
201 Waubesa Street
Madison, WI 53704

Mr. Todd E. Palmer
Michael Best & Friedrich, LLP
100 East Wisconsin Avenue, Suite 3300
Milwaukee, WI 53202-4108

~7009 1680 0000 7672 8744

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Thomas Roushar
South Central District Office
Wisconsin Department of Natural Resources
3911 Fish Hatchery Rd
Fitchburg, WI 53711

On the 10 day of February 2014.

Loretta Shaffer
Loretta Shaffer
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7009 1680 0000 7672 8737

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Chromium, Inc.
1930 Roosevelt Avenue
Racine, Wisconsin 53406

ATTENTION:

Richard Blasi
President

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency (EPA) is requiring Chromium, Inc. (Chromium or you) to submit certain information about the facility at 1930 Roosevelt Avenue, Racine, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 21 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Chromium owns and operates an emission source at the Racine, Wisconsin, facility. We are requesting this information to determine whether your emission source is complying with the CAA, the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 C.F.R Part 63, Subpart N) and

the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (40 C.F.R Part 63, Subpart WWWW).

Chromium must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Chromium must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

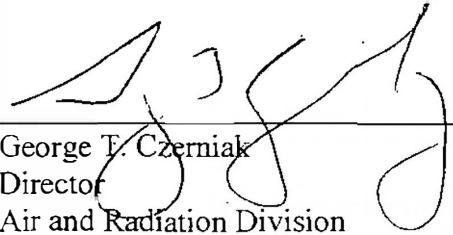
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject Chromium to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Ray Cullen at (312) 886-0538.

Date

2/26/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document or electronically stored information (ESI) produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents, ESI, or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents, ESI, or information are not available or in your possession and identify any source that either possesses or is likely to possess the documents, ESI, or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents or ESI responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

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2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents or ESI claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

DEFINITIONS

All terms used in this request for information will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan), or the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 C.F.R Part 63, Subpart N), or the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (40 C.F.R Part 63, Subpart WWWW). Reference is made to EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions, when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc

pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.
4. The term "dry mechanical polishing", as defined at 40 C.F.R. § 63.11511, means a process used for removing defects from and smoothing the surface of finished metals and formed products after plating with, among other things, chromium, using automatic or manually-operated machines that have hard-faced abrasive wheels or belts and where no liquids or fluids are used to trap the removed metal particles. The affected process does not include polishing with use of pastes, liquids, lubricants, or any other added materials.

Appendix B

Chromium (you) must submit the following information about the facility at 1930 Roosevelt Avenue, Racine, Wisconsin (the Facility), pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 21 calendar days of receipt of this letter:

1. The date that each chromium-electroplating tank at the Facility began operation;
2. The maximum cumulative potential rectifier capacity of the Facility, which is defined as the summation of the total installed rectifier capacity associated with the hard chromium-electroplating tanks at the Facility, expressed in amperes, multiplied by the maximum potential operating schedule of 8,400 hours per year and 0.7;
3. Records of the operating time (i.e., whenever current and/or voltage was applied) of each chromium-electroplating tank over the 5-year period prior to the date of your receipt of this request;
4. Records of inspections of the mesh-pad scrubbers over the 5-year period prior to the date of your receipt of this request;
5. Records of the occurrence, duration, and cause of each malfunction of the mesh-pad scrubbers over the 5-year period prior to the date of your receipt of this request;
6. The product name and manufacturer of all wetting agents/fume suppressants you added to the chromium-electroplating tanks over the 5-year period prior to the date of your receipt of this request;
7. A copy of all Initial Notifications required by 40 C.F.R. § 63.347(c) under Subpart N that you submitted to EPA or the Wisconsin Department of Natural Resources (WDNR), including the date on which the report was submitted;
8. A copy of all Notifications of Compliance Status required by 40 C.F.R. § 63.347(e) under Subpart N that you submitted to EPA or WDNR, including the date on which the report was submitted;
9. A copy of the written operation and maintenance plan for the Facility required by 40 C.F.R. § 63.342(f)(3) under Subpart N, including any revisions made to the plan over the 5-year period prior to the date of your receipt of this request;
10. The date of construction of the dry mechanical polisher used to polish metal after it has been coated with chromium;
11. A detailed description of the capture system, as defined in 40 C.F.R. § 63.11511, used to control particulate matter (PM) emissions created by dry mechanical polishing of chromium-plated parts, including, at a minimum, the following information:
 - a. The type of filters used; and
 - b. Manufacturer operating instructions and specifications;

12. Records of inspections of the capture system described in response to item 10 above over the 5-year period prior to the date of your receipt of this request;
13. Records of any deviations from proper operation of the capture system described in response to item 10 above and any corrective action taken over the 5-year period prior to the date of your receipt of this request;
14. For the dry mechanical polisher, a copy of the Initial Notification required by 40 C.F.R. § 63.11509(a) under Subpart WWWW that you submitted to EPA or WDNR, including the date on which the report was submitted;
15. A copy of the Notification of Compliance Status required by 40 C.F.R. § 63.11509(b) under Subpart WWWW that you submitted to EPA or WDNR, including the date on which the report was submitted;
16. Copies of all annual certification of compliance reports prepared and/or submitted to EPA or WDNR in accordance with 40 C.F.R. § 63.11509(c). For all reports that were submitted to EPA or WDNR, provide a copy of the accompanying deviation reports and the date on which each report was submitted.

Appendix C

Confidential Business and Personal Privacy Information Assertion Requirements

You may assert a business confidentiality claim covering any part of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emissions data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emissions data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the CAA, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and that disclosure of the information is likely to cause substantial harm to your business' competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. If there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please *segregate personnel, medical, and similar files* from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

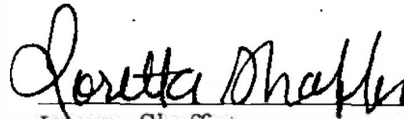
Richard Blasi
President
Chromium, Inc.
1930 Roosevelt Avenue
Racine, Wisconsin 53406

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Dan Schramm
Supervisor
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

on the 27 day of Feb 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

Certified Mail Receipt Number: 7009 1680 0000 2670 0375

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

ChromeTech of Wisconsin Inc.
10020 South 54th Street
Franklin, Wisconsin 53132

ATTENTION:

Joelie Zak
Senior EHS Consultant
Scientific Control Laboratories, Inc.

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring your client, ChromeTech of Wisconsin Inc. (ChromeTech) to submit certain information about the facility at 10020 South 54th Street, Franklin, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that it must submit. ChromeTech must send this information to us within 14 calendar days after it receives this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

ChromeTech owns and operates an emission source at the Franklin, Wisconsin, facility. We are requesting this information to determine whether this emissions source is complying with the CAA, the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks at 40 C.F.R Part 63, Subpart N

(Subpart N) and the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations at 40 C.F.R. Part 63, Subpart 6W (Subpart 6W).

ChromeTech must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

ChromeTech must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, ChromeTech may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information it submits to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If ChromeTech does not assert a business confidentiality claim when it submits the information, EPA may make this information available to the public without further notice. ChromeTech should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

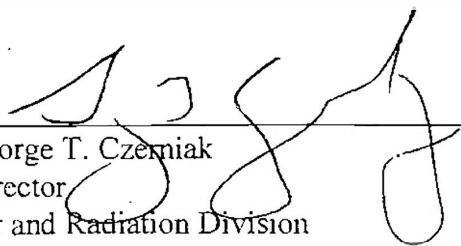
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject ChromeTech to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You or ChromeTech should direct any questions about this information request to Ray Cullen at (312) 886-0538.

Date

2/26/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document or electronically stored information (ESI) produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents, ESI, or information necessary for a response are neither in ChromeTech's possession nor available to ChromeTech, indicate in the response why such documents, ESI, or information are not available or in its possession and identify any source that either possesses or is likely to possess the documents, ESI, or information.
6. If information not known or not available to ChromeTech as of the date of submission later becomes known or available, it must supplement its response. Moreover, should ChromeTech find at any time after the submission of its response that any portion of the submitted information is false or incorrect, it must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you or ChromeTech provide all documents or ESI responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents or ESI in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document or ESI to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to the response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents or ESI claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

DEFINITIONS

All terms used in this request for information will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan), Subpart N, or Subpart 6W. Reference is made to EPA regulatory provisions only; however, ChromeTech should apply the applicable federally-approved state provisions, when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your or ChromeTech's work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, i-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data

processing (together with the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.
4. The term "malfunction," as defined at 40 C.F.R. § 63.2, means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded.
5. The term "dry mechanical polishing," as defined at 40 C.F.R. § 63.11511, means a process used for removing defects from and smoothing the surface of finished metals and formed products after plating with, among other things, chromium, using automatic or manually-operated machines that have hard-faced abrasive wheels or belts and where no liquids or fluids are used to trap the removed metal particles. The affected process does not include polishing with use of pastes, liquids, lubricants, or any other added materials

Appendix B

ChromeTech must submit the following information about the facility at 10020 South 54th Street, Franklin, Wisconsin (the Facility), pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 14 calendar days of receipt of this letter:

1. The date that each chromium-electroplating tank at the Facility began operation;
2. Records of the operating time (i.e., whenever current and/or voltage was applied) of each chromium-electroplating tank at the Facility over the 5-year period prior to the date of its receipt of this request;
3. Records of inspections of the mesh-pad systems equipped on the five chromium-electroplating tanks and on the sulfamate nickel tank at the Facility over the 5-year period prior to the date of its receipt of this request;
4. Records of the duration, cause, and corrective action taken of each malfunction of the mesh-pad systems described in 3, above, over the 5-year period prior to the date of its receipt of this request;
5. Copies of the reports of the results of all performance tests performed for each mesh-pad system described in 3, above;
6. Daily pressure drop readings for each mesh-pad system described in 3, above, over the 5-year period prior to the date of its receipt of this request;
7. For the chromium-electroplating tanks at the Facility, copies of all Initial Notifications required under Subpart N that it submitted to EPA or the Wisconsin Department of Natural Resources (WDNR), including the dates on which these reports were submitted;
8. For the chromium-electroplating tanks at the Facility, copies of all Notifications of Compliance Status required under Subpart N that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
9. A copy of the current operation and maintenance plan for the Facility required under Subpart N, along with copies of all superseded versions over the 5-year period prior to the date of its receipt of this request;
10. A detailed description of the capture systems, as defined in 40 C.F.R. § 63.11511, used to control particulate matter (PM) emissions created by dry mechanical polishing of chromium-plated parts at the Facility, including, at a minimum, the type of filters used and manufacturer operating instructions and specifications;
11. Records of inspections of the capture systems described in response to item 10, above, over the 5-year period prior to the date of its receipt of this request;

12. Records of any deviations from proper operation of the capture systems described in response to item 10, above, and any corrective action taken, over the 5-year period prior to the date of its receipt of this request;
13. Records of the duration, cause, and corrective action taken of each malfunction of the capture systems described in response to item 10, above, over the 5-year period prior to the date of its receipt of this request;
14. For the dry mechanical polishing operations and the sulfamate nickel and two electroless nickel-plating tanks at the Facility, copies of all Initial Notifications required under Subpart 6W that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
15. For the dry mechanical polishing operations and the sulfamate nickel and two electroless nickel-plating tanks at the Facility, copies of all Notifications of Compliance Status required under Subpart 6W that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
16. For the dry mechanical polishing operations and the sulfamate nickel and two electroless nickel-plating tanks at the Facility, copies of all annual certification of compliance reports required under Subpart 6W that it prepared and/or submitted to EPA or WDNR along with any deviation reports, including the dates on which these reports were submitted.

Appendix C

Confidential Business and Personal Privacy Information Assertion Requirements

ChromeTech may assert a business confidentiality claim covering any part of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emissions data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emissions data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

If ChromeTech wishes to make a confidentiality claim, it shall submit the requested information and indicate that it is making a claim of confidentiality. Any document for which it makes a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the CAA, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with its response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to ChromeTech.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that ChromeTech must satisfactorily show that it has taken reasonable measures to protect the confidentiality of the information and that it intends to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without its consent; and that disclosure of the information is likely to cause substantial harm to its competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send ChromeTech a letter asking that it supports its confidential business information (CBI) claim. If ChromeTech receives such a letter, it must respond within the number of days specified by EPA. ChromeTech's failure to submit its comments within that time would be regarded as a waiver of its confidentiality claim or claims, and EPA may release the information. If ChromeTech receives such a letter, EPA will ask it to specify which portions of the information it considers confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to ChromeTech. For each item or class of information that it identifies as being CBI, EPA will ask that it answer the following questions, giving as much detail as possible:

1. For what period of time does ChromeTech request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information ChromeTech claims as confidential be protected for the time period specified in the answer to question 1?
3. What measures has ChromeTech taken to protect the information claimed as confidential? Has it disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that ChromeTech would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to ChromeTech's competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such

harmful effects. How could ChromeTech's competitors make use of this information to its detriment?

7. Does ChromeTech assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for this assertion. If ChromeTech asserts that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. If there any other information ChromeTech deems relevant to EPA's determination regarding its claim of business confidentiality?

If ChromeTech receives a request for a substantiation letter from EPA, **it bears the burden of substantiating its confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating CBI claim(s), ChromeTech must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If ChromeTech fails to claim the information as confidential, it may be made available to the public without further notice to ChromeTech.

Personal Privacy Information

ChromeTech shall segregate personnel, medical, and similar files from the responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Joelie Zak
Senior EHS Consultant
Scientific Control Laboratories, Inc.
3158 South Kolin Avenue
Chicago, Illinois 60623

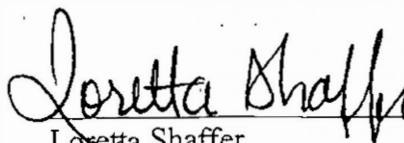
I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Andy Kruis
Environmental Manager
ChromeTech of Wisconsin Inc.
10200 South 54th Street
Franklin, Wisconsin 53132

Dan Schramm
Supervisor
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

on the 27 day of Feb 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

Certified Mail Receipt Number: 7009 1680 0000 7670 0382



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

FEB 26 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gary D. Jensen
Vice President, Operations
Ultra Plating Corporation
345 South Pearl Street
Green Bay, Wisconsin 54303

Dear Mr. Jensen:

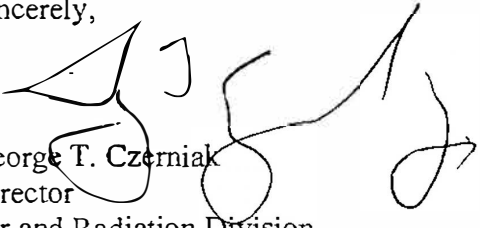
The U.S. Environmental Protection Agency has determined that Ultra Plating Corporation's facility at 345 South Pearl Street, Green Bay, Wisconsin, (facility) has violated 40 C.F.R. Part 63, Subpart N, the National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Subpart N), and 40 C.F.R. Part 63, Subpart WWWW, the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (Subpart WWWW), promulgated pursuant to Section 112 of the Clean Air Act (CAA or Act). A list of the requirements violated is provided below. We are today issuing to you a Finding of Violation (FOV) for these violations.

Section 113 of the CAA gives us several enforcement options to resolve these violations, including: issuing an administrative compliance order, issuing an administrative penalty order, bringing a judicial civil action and bringing a judicial criminal action.

We are offering you the opportunity to request a conference with us about the violations alleged in the FOV. A conference should be requested within 10 days following receipt of this notice and held within 30 days following receipt of this notice. This conference will provide you a chance to present information on the identified violations, any efforts you have taken to comply and the steps you will take to prevent future violations. Please plan for your facility's technical and management personnel to take part in these discussions. You may have an attorney represent and accompany you at this conference.

The EPA contact in this matter is Virginia Galinsky. You may call her at (312) 353-2089 if you wish to request a conference. EPA hopes that this FOV will encourage Ultra Plating's compliance with the requirements of the CAA.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

cc: William Baumann, Chief, Compliance and Enforcement Section, WDNR

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Ultra Plating Corporation
Green Bay, Wisconsin**

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. § 7401 *et seq.*

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FINDING OF VIOLATION

EPA-5-14-WI-01

FINDING OF VIOLATION

Ultra Plating Corporation (Ultra Plating) owns and operates a plating facility at 345 South Pearl Street, Green Bay, Wisconsin (facility). The facility includes, among other things, eight hard chrome plating tanks, three nickel plating tanks and one cadmium plating tank.

The U.S. Environmental Protection Agency is sending this Finding of Violation (FOV) to notify you that we have found violations of the National Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 C.F.R. Part 63, Subpart N), and the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (40 C.F.R. Part 63, Subpart WWWW).

Regulatory Authority

The Clean Air Act

1. Section 112 (a)(1) of the CAA, 42 U.S.C. § 7412(a)(1), defines "major source" as "any stationary source or group of stationary sources located within a contiguous area and under common control that emits or has the potential to emit considering controls, in the aggregate, 10 tons per year or more of any hazardous air pollutant or 25 tons per year or more of any combination of hazardous air pollutants." See also 40 C.F.R. § 63.2.
2. Section 112 (a)(2) of the CAA, 42 U.S.C. § 7412(a)(2), defines "area source" as "any stationary source of hazardous air pollutants that is not a major source." See also 40 C.F.R. § 63.2.
3. Section 112(b) of the CAA, 42 U.S.C. § 7412(b), as revised in 61 Fed. Reg. 30816 (June 18, 1996), lists 188 Hazardous Air Pollutants (HAPs) that cause adverse health or environmental effects.

4. Section 112(d)(1) of the CAA, 42 U.S.C. § 7412(d)(1), requires the Administrator to promulgate regulations establishing emissions standards for each category or subcategory of major and area sources of HAPs, listed for regulation pursuant to subsection (c) and (e) of Section 112. These standards are known as National Emissions Standards for the Regulation of Hazardous Air Pollutants (NESHAPs).
5. Section 112(d)(2) of the CAA, 42 U.S.C. § 7412(d)(2), of the Act requires that emission standards promulgated under Section 112(d)(1) require “the maximum degree of reduction in emissions of the HAP . . . that the Administrator, taking into consideration the cost of achieving such emission reduction, and any nonair quality health and environmental impacts and energy requirements, determine is achievable for new or existing sources in the category or subcategory to which such emission standard applies.” These are known as Maximum Achievable Control Technology (MACT) standards.
6. Section 112(d)(5) of the CAA, 42 U.S.C. § 7412(d)(5), allows the Administrator to elect to promulgate standards or requirements for area sources which provide for the use of generally available control technologies or management practices by such sources to reduce emissions of hazardous air pollutants.
7. Section 112(i)(1) of the CAA, 42 U.S.C. § 7412(i)(1), prohibits the operation of an existing source in violation of the standards, limitations or regulations promulgated under Section 112.

40 C.F.R. Part 63, Subpart A

8. On March 16, 1994, EPA promulgated the General Provisions for the Part 63 NESHAP standards at 40 C.F.R. Part 63, Subpart A, §§ 63.1 - 63.15. 59 Fed. Reg. 12408.
9. 40 C.F.R § 63.4(a)(1) prohibits the owner or operator subject to Part 63 from operating any affected source in violation of the requirements of Part 63.
10. 40 C.F.R § 63.4(a)(2) prohibits the owner or operator subject to Part 63 from failing to keep records, notify, report, or revise reports as required under Part 63.
11. 40 C.F.R § 63.6(e) provides that “[a]t all times, including periods of startup, shutdown, and malfunction, the owner or operator must operate and maintain any affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. . . . Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in paragraph (e)(3) of this section), review of operation and maintenance records, and inspection of the source.”

12. 40 C.F.R § 63.9(b)(1) requires the submission of an Initial Notification when an affected source becomes subject to a relevant standard. For an affected source that has an initial startup before the effective date of a relevant standard under this part, the notification shall be submitted not later than 120 calendar days after the effective date of the relevant standard.
13. 40 C.F.R § 63.9(h) requires the submission of a Notification of Compliance Status. The Notification of Compliance Status must include, among other things, “a description of the air pollution control equipment (or method) for each emission point, including each control device (or method) for each hazardous air pollutant and the control efficiency (percent) for each control device (or method).”
14. 40 C.F.R § 63.9(j) provides that “[a]ny change in the information already provided under this section shall be provided to the Administrator in writing within 15 calendar days after the change.”

40 C.F.R. Part 63, Subpart N

15. On January 25, 1995, EPA promulgated the NESHAP for Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks at 40 C.F.R. Part 63, Subpart N, §§ 63.340 - 63.347 (Subpart N). 60 Fed. Reg. 4963. The Subpart has been subsequently amended. The amendments relevant to this FOV are 68 Fed. Reg. 37347, 69 Fed. Reg. 42894, and 77 Fed. Reg. 58242.
16. 40 C.F.R § 63.340 identifies owners or operators of chromium electroplating or chromium anodizing tanks at facilities performing hard chromium electroplating, decorative chromium electroplating, or chromium anodizing as being subject to Subpart N.
17. 40 C.F.R. § 63.341 defines “small, hard chromium electroplating facility” to mean a facility that performs hard chromium electroplating and has a maximum cumulative potential rectifier capacity less than 60 million amp-hours per year.
18. 40 C.F.R. § 63.341 defines “open hard chromium electroplating tank” to mean a chromium electroplating tank that is ventilated at a rate consistent with good ventilation practices for open tanks.
19. 40 C.F.R. § 63.342(a)(1) provides that “[a]t all times, each owner or operator must operate and maintain any affected source subject to the requirements of this subpart, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices for minimizing emissions. The general duty to minimize emissions does not require the owner or operator to make any further efforts to reduce emissions if levels required by this standard have been achieved. Determination of whether such operation and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, review of operation and

maintenance procedures, review of operation and maintenance records, and inspection of the source.”

20. 40 C.F.R. § 63.342(b)(1) provides that “[e]ach owner or operator of an affected source subject to the provisions of this subpart shall comply with these requirements in this section on and after the compliance dates specified in § 63.343(a). All affected sources are regulated by applying maximum achievable control technology.”
21. 40 C.F.R. § 63.342(f) provides that the work practice standards of 40 C.F.R. § 63.342(f) apply to owners and operators subject to the standards of 40 C.F.R. § 63.342(c) and (d).
22. 40 C.F.R. § 63.342(f)(1)(i) provides that “[a]t all times, including periods of startup, shutdown, and malfunction, owners or operators shall operate and maintain any affected source, including associated air pollution control devices and monitoring equipment, in a manner consistent with good air pollution control practices.”
23. 40 C.F.R. § 63.342(f)(1)(ii) provides that “[m]alfunctions shall be corrected as soon as practicable after their occurrence.”
24. 40 C.F.R. § 63.342(f)(3)(i) requires owners or operators of affected sources subject to the work practice requirements of 40 C.F.R. § 63.342(f) to prepare an operation and maintenance plan. The plan must:
- specify the operation and maintenance criteria for the affected source, the add-on air pollution control device, if one is used, the process and control system monitoring equipment, and include a standardized checklist to document the operation and maintenance of the equipment;
 - incorporate the work practice standards for each device or monitoring equipment as identified in Table 1 of Subpart N that is listed in Table 1;
 - specify procedures to be followed to ensure that equipment or process malfunctions due to poor maintenance or other preventable conditions do not occur;
 - include a systematic procedure for identifying malfunctions of process equipment, add-on air pollution control devices, and process and control system monitoring equipment and for implementing corrective actions to address such malfunctions; and,
 - include housekeeping procedures as specified in Table 2 of Subpart N.
25. The Housekeeping Practices set forth in Table 2 of 40 C.F.R. § 63.342 include the following:

For	You must:	At this minimum frequency
6. All buffing, grinding, or polishing operations that are located in the same room as chromium	Separate the operation from any affected electroplating or anodizing operation by installing a physical	Prior to beginning the buffing, grinding, or

electroplating or chromium anodizing operations	barrier; the barrier may take the form of plastic strip curtains	polishing operation.
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26. 40 C.F.R. § 63.343(a)(8) provides that “[a]fter March 19, 2013, the owner or operator of an affected source that is subject to the standards in paragraphs § 63.342(c) or (d) shall implement the housekeeping procedures specified in Table 2 of § 63.342.”
27. 40 C.F.R. § 63.343(b) provides that “[e]xcept as provided in paragraphs (b)(2) and (b)(3) of this section, an owner or operator of an affected source subject to the requirements of this subpart is required to conduct an initial performance test as required under § 63.7, using the procedures and test methods listed in §§ 63.7 and 63.344.” Paragraphs (b)(2) and (b)(3) provide that an owner or operator of a hard chromium electroplating tank that uses a wetting agency and complies with the surface tension requirements of 40 C.F.R. § 63.342(c)(1)(iii), (c)(2)(iii), or (d)(2) as demonstrated through the continuous compliance monitoring required by paragraph (c)(5)(ii), is exempt from conducting an initial performance test.
28. 40 C.F.R. § 63.343(c) provides that “[t]he owner or operator of an affected source subject to the emission limitations of this subpart shall conduct monitoring according to the type of air pollution control technique that is used to comply with the emission limitation. The monitoring required to demonstrate continuous compliance with the emission limitations is identified in this section for the air pollution control techniques expected to be used by the owners or operators of affected sources.”
29. 40 C.F.R. § 63.343(c)(1)(i) provides that “[d]uring the initial performance test, the owner or operator of an affected source, or a group of affected sources under common control, complying with the emission limitations in § 63.342 through the use of a composite mesh-pad system shall determine the outlet chromium concentration using the test methods and procedures in § 63.344(c), and shall establish as a site-specific operating parameter the pressure drop across the system, setting the value that corresponds to compliance with the applicable emission limitation, using the procedures in § 63.344(d)(5). An owner or operator may conduct multiple performance tests to establish a range of compliant pressure drop values, or may set as the compliant value the average pressure drop measured over the three test runs of one performance test and accept [plus or minus] 2 inches of water column from this value as the compliant range.”
30. 40 C.F.R. § 63.343(c)(1)(ii) provides that “[o]n and after the date on which the initial performance test is required to be completed under § 63.7... the owner or operator of an affected source, or group of affected sources under common control, shall monitor and record the pressure drop across the composite mesh-pad system once each day that any affected source is operating. To be in compliance with the standards, the composite mesh-pad system shall be operated within [plus or minus] 2 inches of water column of the pressure drop value established during the initial performance test, or shall be operated within the range of compliant values for pressure drop established during multiple performance tests.”

31. 40 C.F.R. § 63.343(c)(5)(i) requires owners or operators using a wetting agent-type or combination wetting-agent type/foam blanket fume suppressant to comply with the emission limitations of § 63.342 to determine the outlet chromium concentration during the initial performance test using the procedures specified in § 63.344(c), and establish as the site-specific operating parameter the surface tension of the bath using Method 306B, appendix A, setting the maximum value that corresponds to compliance with the applicable emissions limitation. The owner or operator may also accept 45 dynes/cm measured using a stalagmometer or 35 dynes/cm measured using a tensiometer as the maximum surface tension value that corresponds to compliance with the applicable emission limitation. However, the owner or operator is exempt from conducting a performance test only if the criteria of paragraph (b)(2) of this section are met.
32. 40 C.F.R. § 63.343(c)(5)(ii) requires owners or operators using a wetting agent to comply with the emission limitations in § 63.342 to monitor the surface tension of the electroplating bath once every 4 hours with a stalagmometer or a tensiometer to demonstrate compliance with the site-specific operating parameter set pursuant to 40 C.F.R. § 63.343(c)(5)(i).
33. 40 C.F.R. § 63.343(c)(7) identifies requirements for owners or operators using a fume suppressant and add-on control device to comply with the emission limitations of § 63.342. If both the fume suppressant and add-on control device are necessary to comply with the applicable emission limit, the owner or operator is required to conduct monitoring and comply with the work practice standards for each of the control techniques used. If only one of the techniques is needed to comply with the applicable emission limit, the owner or operator is only required to conduct monitoring and comply with the work practice standards for the control technique that is used to achieve compliance.
34. 40 C.F.R. § 63.346(b)(1) provides that “[t]he owner or operator of an affected source subject to the provisions of this subpart shall maintain the following records for such source...inspection records for the add-on air pollution control device, if such a device is used, and monitoring equipment, to document that the inspection and maintenance required by the work practice standards of § 63.342(f) and Table 1 of § 63.342 have taken place. The record can take the form of a checklist and should identify the device inspected, the date of inspection, a brief description of the working condition of the device during the inspection, and any actions taken to correct deficiencies found during the inspection.”

40 C.F.R. Part 63, Subpart WWWWWW

35. On July 1, 2008, EPA promulgated the NESHAP for Area Source Standards for Plating and Polishing Operations at 40 C.F.R. Part 63, Subpart WWWWWW, §§ 63.11504 - 63.11513 (Subpart WWWWWW). 73 Fed. Reg. 37741. The Subpart has been subsequently amended (76 Fed. Reg. 57919).

36. Subpart WWWW applies to owners and operators of plating and polishing facilities that are area sources of hazardous air pollutant (HAP) emissions, that use or have emissions of compounds of one or more plating and polishing metal HAP, and that are engaged in one or more of the following processes: electroplating other than chromium electroplating, electroless or non-electrolytic plating, other non-electrolytic metal coating processes, dry mechanical polishing of finished metals and formed products after plating or thermal spraying, electroforming and electropolishing. 40 C.F.R. § 63.11504
37. 40 C.F.R. § 63.11507(d) provides that if you own or operate an affected new or existing electroplating tank that uses cyanide in the plating bath, operates at pH greater than or equal to 12, and contains one or more of the plating and polishing metal HAPs, you must measure and record the pH of the bath upon startup of the bath.
38. 40 C.F.R. § 63.11508(a) provides that if you own or operate an affected source under Subpart WWWW, you must submit a Notification of Compliance Status in accordance with 40 C.F.R. § 63.11509(b).
39. 40 C.F.R. § 63.11508(c)(7)(i) provides that if you own or operate an affected tank that contains one or more of the plating and polishing metal HAPs, uses cyanide in the bath, and is subject to the management practices specified in § 63.11507(d), you must report in your Notification of Compliance Status the pH of the bath solution that was measured at startup.
40. 40 C.F.R. § 63.11509(a) provides that if you own or operate an affected source under Subpart WWWW, you must submit an Initial Notification no later than 120 calendar days after July 1, 2008. The Initial Notification must include general information about the facility and must include a description of the compliance method for each affected source.
41. 40 C.F.R. § 63.11511 defines "startup of the tank bath" as "when the components or relative proportions of the various components in the bath have been altered from the most recent operating period. Startup of the bath does not include events where only the tank's heating or agitation and other mechanical operations are turned back on after being turned off for a period of time."

Factual Background

42. Ultra Plating owns and operates a plating facility located at 345 South Pearl Street, Green Bay, Wisconsin. The facility consists of nine hard chrome electroplating tanks, two sulfamate nickel plating tanks, one bright nickel plating tank, one electroless nickel plating tank, one nickel strike tank, one chromate conversion coating tank and one cadmium plating tank.

43. Ultra Plating has a maximum cumulative potential rectifier capacity for chromium electroplating that is greater than 60 million amp-hours per year, making it a large, hard chromium plating facility as that term is defined at 40 C.F.R. § 63.341.
44. In May and June of 1997, Ultra Plating conducted a performance test pursuant to 40 C.F.R. § 63.343(b). Ultra Plating reported that the 1997 testing is the only performance testing it has ever conducted.
45. On August 25, 1997, Ultra Plating submitted a Notification of Compliance Status pursuant to Subparts A and N. The Notification of Compliance Status reported that all of the chromium electroplating tanks at the facility were controlled by mesh pads and that the relevant operating parameter for each was the pressure drop.
46. In a letter to the Wisconsin Department of Natural Resources on April 29, 2003, Ultra Plating stated that the pressure drops during the June 1997 initial performance test were as follows:

Stack	Tank	Pressure Drop (inches of water)
C01	P01	5.6
C02	P02 + P03	6.5
C03	P04	6.0
C04	P05	5.4
C05	P06 + P07	2.5
C06	P08 + P09	4.0

47. A review of Ultra Plating's pressure drop records from January 1, 2010 through July 31, 2013, shows that Ultra Plating operated its scrubbers outside the required range (the pressure drop during the initial performance test, plus or minus 2 inches of water) on 45 days. Many of these seem to be a single malfunction that lasted for multiple days:

Tank	Date	Pressure Drop (inches of water)	Notes
T1+T2 (C02)	2-Jun-10	9	Possible moisture in line
	3-Jun-10	9	
	4-Jun-10	9	
	7-Jun-10	10.5	
	8-Jun-10	10.5	
	28-Jan-13	0	Ice in airline
	29-Jan-13	0	
	30-Jan-13	0	
	31-Jan-13	0	
	1-Feb-13	0	
Silos (C05)	17-Nov-10	4.6	
	18-Nov-10	4.6	

	19-Nov-10	4.6	
	22-Nov-10	4.6	
	23-Nov-10	4.6	
	24-Nov-10	4.6	
	25-Nov-10	4.6	
	26-Nov-10	4.6	
	29-Nov-10	4.6	
	30-Nov-10	4.6	
	12-Dec-11	6	Air tubes and magnehelic full of water
	13-Dec-11	6	
	11-Jul-12	4.6	
	12-Jul-12	4.6	
	13-Jul-12	4.6	
	16-Jul-12	4.6	
	17-Jul-12	4.6	
	18-Jul-12	4.8	
	19-Jul-12	4.8	
	20-Jul-12	4.8	
	5-Dec-12	4.6	
	7-Dec-12	4.6	
	10-Dec-12	4.6	
	11-Dec-12	4.6	
	12-Dec-12	4.6	
	13-Dec-12	4.6	
	14-Dec-12	4.6	
	17-Dec-12	4.6	
	18-Dec-12	4.6	
	19-Dec-12	4.6	
	20-Dec-12	4.8	
	21-Dec-12	4.8	
	26-Dec-12	4.6	
	27-Dec-12	4.8	
	28-Dec-12	4.8	

48. Ultra Plating reported that on May 27, 2010, the ductwork from the horizontal chromium plating tank (C01) to its fume scrubber was hit by the hoist, causing a hole in the ductwork. Ultra Plating stopped taking pressure drop readings and commenced use of a fume suppressant to control emissions. On June 25, 2013, Ultra Plating stopped using the fume suppressant in the horizontal chromium plating tank because it was working on repairing the ductwork.

49. Ultra Plating reported that it does not take surface tension measurements at any of its plating tanks. It reported that, on two occasions, it had samples of the horizontal chromium plating tank bath analyzed in a lab and received surface tension measurements from those analyses.
50. In response to a request for the operation and maintenance plan required by 40 C.F.R. § 63.342(f)(3), Ultra Plating submitted the Operation and Maintenance Manual for the Enforcer III scrubber. This manual does not include the housekeeping procedures as specified in Table 2 of Subpart N. The Manual includes a maintenance checklist and, in a separate section, it specifies that:
- a. spray headers should be checked weekly for proper spray pattern; and,
 - b. mesh pads should be checked monthly for chrome buildup or separation of pad from retainer;
51. Ultra Plating's maintenance records demonstrate that it conducts quarterly maintenance using its maintenance checklist. However, it does not keep a record for each fume scrubber separately. It does not have records demonstrating that it does weekly checks of the spray headers or monthly checks of the mesh pads, as recommended by the manufacturer in the Operation and Maintenance Manual.
52. On March 18, 2013, EPA conducted an on-site inspection of Ultra Plating's facility. During the inspection, EPA observed that there was at least one buffing process in the same room as the horizontal chromium plating tank (C01). There was no physical barrier in place between the buffing process and the chromium plating tank. In August 2013, Ultra Plating indicated that it had ordered a barrier and would install it.
53. On March 21, 2013, Ultra Plating submitted a document titled "Initial Notification... Subpart WWWWW." The Initial Notification identified the facility address, contact person and phone number, a list of affected sources, the plating and polishing metal HAP used in, or emitted by, those sources, and the description of the compliance method for each affected source.
54. Ultra Plating has not submitted a Notification of Compliance Status that includes methods used to comply with the applicable management practices and equipment standards, a statement by the owner or operator of the affected source as to whether the source is in compliance with the applicable standards or other requirements, or the pH of the cadmium plating tank upon initial startup.
55. In response to a request for the pH measurement that was taken upon initial startup of the cadmium tank bath, Ultra Plating provided records demonstrating the pH of tank bath for every quarter from 2009 through 2013. It did not provide a record demonstrating that the pH of the tank bath was measured upon startup of the tank, as required by 40 C.F.R. § 63.11507(d).

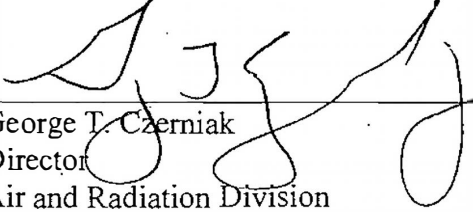
Violations

56. Ultra Plating has violated 40 C.F.R. §§ 63.6(e), 63.342(a)(1) and 63.342(f)(1)(i) by:
- Failing to inspect the spray headers weekly for proper spray pattern and the mesh pads monthly for chrome buildup or separation of pad from retainer;
 - Failing to maintain the pressure drop across the composite mesh pad scrubbers within the required range of the pressure drop during the initial performance test, plus or minus 2 inches of water;
 - Failing to repair the hole in the ductwork going from the horizontal chromium electroplating tank to the scrubber; and
 - Discontinuing the pressure drop measurements for the scrubber because of use of a fume suppressant but not taking the surface tension measurements required when using a fume suppressant for control.
57. By failing to notify EPA when it commenced use of a fume suppressant at the horizontal chromium electroplating tank, Ultra Plating has violated 40 C.F.R. § 63.9(j).
58. By failing to maintain the pressure drop across the composite mesh pad scrubbers within the required range of the pressure drop during the initial performance test, plus or minus 2 inches of water, Ultra Plating has violated 40 C.F.R. §§ 63.342(a)(1) and 63.343(c)(1)(ii).
59. By failing to conduct a performance test of the horizontal chromium plating tank (C01) after it commenced use of a fume suppressant for emission control, Ultra Plating has violated 40 C.F.R. § 63.343(b) and 63.343(c)(5)(i).
60. By failing to conduct surface tension measurements every 4 hours when the horizontal chromium plating tank was using the fume suppressant in conjunction with the composite mesh pad filter, Ultra Plating has violated 40 C.F.R. § 63.343(c)(5)(ii).
61. By failing to address the pressure drop deviations as soon as possible, Ultra Plating has violated 40 C.F.R. § 63.342(f)(1)(ii).
62. By failing to include in its Operation and Maintenance Manual the housekeeping procedures as specified in Table 2 of Subpart N, Ultra Plating has violated 40 C.F.R. § 63.342(f)(3)(i).
63. By failing to implement the housekeeping procedures as specified in Table 2 of Subpart N, Ultra Plating has violated 40 C.F.R. § 63.343(a)(8).
64. By failing to identify the add-on air pollution control device inspected in its quarterly maintenance records, Ultra Plating has violated 40 C.F.R. § 63.346(b)(1):
65. By failing to measure the pH of the cadmium tank bath upon startup, Ultra Plating has violated 40 C.F.R. § 63.11507(d).

66. By failing to submit the Initial Notification within 120 days after July 1, 2008, Ultra Plating has violated 40 C.F.R. §§ 63.9(b) and 63.11509.
67. By failing to submit a Notification of Compliance Status by July 1, 2010, Ultra Plating has violated 40 C.F.R. §§ 63.11508(c)(7)(i) and 63.11509.
68. By violating the provisions of 40 C.F.R. Part 63, Subpart N and WWWW, as described in Paragraphs 58 – 69, above, Ultra Plating has violated 40 C.F.R §§ 63.4(a)(1) and (2) and 63.342(b)(1).
69. By violating the provisions of provisions of 40 C.F.R. Part 63, Ultra Plating has violated Section 112(i)(1) of the CAA, 42 U.S.C. § 7412(i)(1).

Date

7/26/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-14-WI-01, by Certified Mail, Return Receipt Requested, to:


Gary D. Jensen
Vice President Operations
Ultra Plating Corporation
345 South Pearl Street
Green Bay, Wisconsin 54303

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first-class mail to:

William Baumann, Chief, Compliance and Enforcement Section
Wisconsin Department of Natural Resources
Bureau of Air Management
101 South Webster Street
P.O. Box 7921 (AMI7)
Madison, Wisconsin 53707-7921

Richard Wulk, Supervisor – North Team
Northeast Region
Wisconsin Department of Natural Resources
2984 Shawano Avenue
Green Bay, Wisconsin 54313-6727

On the 28 day of February 2014.



Loretta Shaffer
Administrative Professional Assistant
Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 70091680 0000 7670 0399

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Mid-America Steel Drum Company, Inc.
8570 South Chicago Road
Oak Creek, Wisconsin 53154**

ATTENTION:

**Scott Swosinski
Vice President of Operations**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Mid-America Steel Drum Company, Inc. (Mid-America) to submit certain information about the facility at 8570 South Chicago Road, Oak Creek, WI. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the deadlines specified in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Mid-America owns and operates an emission source at the Oak Creek, WI facility. We are requesting this information to determine whether your emission source is complying with: the Wisconsin State Implementation Plan; your Part 70 Source Operation Permit; the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products at 40 C.F.R. Part 63, Subpart Mmmm; and the Clean Air Act (CAA).

Mid-America must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Mid-America must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

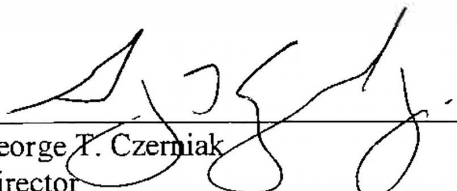
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Mid-America to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Dakota Prentice at 312.886.6761.

3/5/14
Date


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or as defined in the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products at 40 C.F.R. Part 63, Subpart A and MMMM.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Mid-America must respond to this information request pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a). Mid-America must submit an emission test plan, conduct emission testing and submit all other information requested in accordance with the schedule specified below:

Respond to Items 1-7	Within 30 days of receipt of this request
Submit Testing Protocol(s)	Within 30 days of receipt of this request
Notification of Intent to Test	Not less than 21 days before testing
Complete Testing	Within 65 days of receipt of this request
Submit Testing Report	Within 30 days of completion of testing

1. Provide a copy of each current air permit issued to Mid-America for the facility by the Wisconsin Department of Natural Resources (WDNR), including Construction and Operating Permits.
2. Provide a copy of all permit applications submitted to WDNR for the facility since March 2004.
3. Provide a list and copies of each emissions test conducted at the facility for any reason, from March 2004 to the present. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Use the following guidelines for compiling the list and preparing copies of the stack tests:
 - a. **List:** Identify the emissions unit, the date of the test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with the state permitting agency.
 - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations. If not included in the test report, provide production data corresponding to the time of the test.
4. From March 2009 to the present, provide the monthly and annual (12-month rolling total) number of drums processed by the Drum Reclamation Furnace, Process P30 from Renewal of Part 70 Source Operation Permit No. 241021220-P10.
5. Provide copies of all quarterly reports, semi-annual compliance reports, deviation reports, or equivalent documents submitted to either WDNR or EPA for the facility since March 2009.
6. Provide copies of Mid-America's Initial Notification and Notification of Compliance Status for the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Miscellaneous Metal Parts and Products at 40 CFR Part 63, Subpart MMMM.

7. Mid-America shall state all compliance options for meeting the emissions limits, as listed in 40 CFR § 63.3891, used at the facility for the last five years preceding the date of this request. Mid-America shall provide all documentation of compliance for each compliance option used within the last five years preceding the date of this request.
8. Mid-America must submit an emission test plan, conduct emission testing, and submit all other information requested within the schedules provided below for the facility. Specifically, Mid-America must:
 - a. Within 65 days of the receipt of this request, perform the following emission testing at the Drum Reclamation Furnace: quantify the mass emission rate of PM/PM10 (filterable and condensable) in pounds per hour and determine the destruction efficiency for volatile organic compounds (VOCs);
 - b. During the testing conducted pursuant to Item 8.a, operate the Drum Reclamation Furnace at maximum production rates and under representative conditions;
 - c. Within 30 days after receipt of this request, submit to EPA and WDNR the proposed testing protocol that completely describes the methods and procedures for testing. Mid-America shall conduct the testing under a protocol approved in advance by EPA. Mid-America must make any adjustment to the testing protocol or operating conditions required by EPA. The protocol shall address the requirements of Item 8.a and 8.b of this information request;
 - d. At least 21 days prior to the planned test(s), submit notification to EPA and WDNR of the intent to perform emission testing;
 - e. Within 30 days after completion of those tests, submit a complete report of the emissions testing on its facility, including the following, at a minimum:
 - i. Summary of Results
 - A. Results of the above specified emission tests;
 - B. Process and control equipment data related to determining compliance;
 - C. Discussion of test errors;
 - D. Discussion of any deviations from the reference test methods; and
 - E. Production data.
 - ii. Facility Operations
 - A. Description of the process and control equipment in operation;
 - B. Operating parameters of the Drum Reclamation Furnace and related equipment at the time of the test; and
 - C. Facility operating parameters that demonstrate that the facility was being operated at maximum production rates.

- iii. Sampling and Analytical Procedures
 - A. Sampling port location(s) and dimensions of cross-section;
 - B. Sampling point description, including labeling system;
 - C. Brief description of sampling procedures, including equipment and diagram;
 - D. Description of sampling procedures (planned and accidental) that deviated from any standard method;
 - E. Brief description of analytical procedures, including calibration;
 - F. Description of analytical procedures (planned or accidental) that deviated from any standard method; and
 - G. Quality control/ quality assurance procedures, tests and results.
- iv. Appendix
 - A. Complete results with example calculations;
 - B. Raw field data (original, not computer printouts);
 - C. Laboratory report, with signed chain-of-custody forms;
 - D. Calibration procedures and results;
 - E. Raw process and control equipment data, signed by plant representative;
 - F. Test log;
 - G. Project participants and titles; and
 - H. Related correspondence.
- f. In the emission test report described above, Mid-America must describe and provide the results of any other emission test runs, emissions characterizations, or emissions studies, conducted or attempted on the Drum Reclamation Furnace after receipt of this letter.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

- Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

- Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

- A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show: that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information

Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

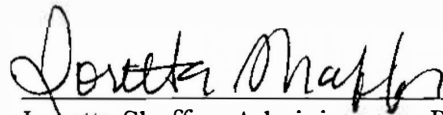
Scott Swosinski
Mid-America Steel Drum Company, Inc.
8570 South Chicago Road
Oak Creek, Wisconsin 53154

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bill Baumann
Compliance, Enforcement & Emission Inventory
Section Chief
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)

Dan Schramm
Supervisor
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

On the 5 day of March 2014.



Loretta Shaffer, Administrative Program
Assistant
AECAB, Planning and Administrative Section

CERTIFIED MAIL RECEIPT NUMBER:

70091680 0000 7670 0450



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

MAY - 2 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randy Paulson
Manager
Associated Milk Producers, Inc.
14193 County Highway S
Jim Falls, Wisconsin 54748

Re: Notice of Violation and Finding of Violation
Associated Milk Producers, Inc.
Jim Falls, Wisconsin

Dear Mr. Paulson:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation and Finding of Violation (NOV/FOV) to Associated Milk Producers, Inc. ("AMPI" or "you") under Section 113(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(a). We find that you have violated the Wisconsin State Implementation Plan and your federally-enforceable operating permit No. 609037220-P10 at your Jim Falls, Wisconsin, facility.


Section 113 of the CAA gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order, and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply, and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Sarah Marshall. You may call her at (312) 886-6797 to request a conference. You should make this request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure

cc: Bill Baumann, WDNR
Jeff Johnson, WDNR

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Associated Milk Producers, Inc.
Jim Falls, Wisconsin

Proceedings Pursuant to
Section 113(a)(1) of the
Clean Air Act, 42 U.S.C.
§ 7413(a)(1)

**NOTICE OF VIOLATION AND
FINDING OF VIOLATION**

EPA-5-14-WI-02

NOTICE OF VIOLATION AND FINDING OF VIOLATION

The U.S. Environmental Protection Agency is issuing this Notice of Violation and Finding of Violation under Section 113(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7413(a). EPA finds that Associated Milk Producers, Inc. (AMPI) has violated the CAA, the Wisconsin State Implementation Plan (SIP), and its Title V Permit No. 609037220-P10, as follows:

Statutory and Regulatory Background

1. Pursuant to Section 110(a)(1) of the CAA, 42 U.S.C. § 7410(a)(1), each state is responsible for submitting to EPA for approval an implementation plan which specifies how the state will achieve, maintain, and enforce all primary and secondary National Ambient Air Quality Standards (NAAQS) in the state.
2. Under Section 110(a)(2) of the CAA, 42 U.S.C. § 7410(a)(2), each SIP must include enforceable emission limitations and other control measures, means, or techniques, as well as schedules for compliance, as may be necessary to meet applicable requirements, and must include a permit program to provide for the enforcement of these limitations, measures, and schedules as necessary to assure the NAAQS are achieved. Upon EPA's approval of a SIP, the plans become independently enforceable by the federal government, as stated under Section 113(a)(1) of the CAA, 42 U.S.C. § 7413(a)(1).
3. On March 9, 1983, EPA approved NR 154.11(4) as part of the federally-enforceable Wisconsin SIP. 48 *Fed. Reg.* 9860 (March 9, 1983). NR 154.11(4) became federally effective on April 18, 1983. Wisconsin has since recodified NR 154.11(4) at NR 415.06
4. NR 154.11(4)(a) of the Wisconsin SIP [NR 415.06(1)(a)] states that no person may cause, allow, or permit the emission of particulate matter (PM) to the ambient air from, among other things, any fuel-burning installation with a maximum heat input greater than 1 million British Thermal Units (mmBTU) per hour and for which construction or modification was commenced on or before April 1, 1972, in excess of 0.60 lb/mmBTU heat input.

5. On January 18, 1995, EPA approved definitions in NR 400 as part of the federally-enforceable Wisconsin SIP. 60 *Fed. Reg.* 3538 (January 18, 1995). NR 400 became federally effective on February 17, 1995.
6. NR 400.02(69) of the federally-enforceable Wisconsin SIP and Section 302(e) of the CAA, 42 U.S.C. § 7602(e), define "person," as, among other things, any corporation.
7. NR 400.02(66) of the federally-enforceable Wisconsin SIP defines "particulate matter" as any air-borne, finely-divided solid or liquid material with an aerodynamic diameter smaller than 100 micrometers.
8. NR 400.02(66m) of the federally-enforceable Wisconsin SIP define "particulate matter emissions" as all finely divided solid or liquid material, other than uncombined water, emitted to the ambient air as measured by an applicable reference method or an equivalent or alternative method specified by [the Wisconsin Department of Natural Resources (WDNR)].
9. On August 15, 1994, EPA approved NR 439 as part of the federally-enforceable Wisconsin SIP. 59 *Fed. Reg.* 41709 (August 15, 1994). NR 439 became federally effective on April 27, 1995.
10. NR 439.07(1) of the Wisconsin SIP requires that the owner or operator of a source required to conduct emission testing perform all compliance emission tests with the equipment operating at capacity or as close to capacity as possible, unless WDNR approves the performance of a test at less than capacity.
11. Title V of the CAA, 42 U.S.C. §§ 7661-7661f, and its implementing regulations at 40 C.F.R. Part 70, establish an operating permit program for certain sources, including major sources, and other sources made subject under Section 502(a) of the CAA, 42 U.S.C. § 7661a(a).
12. For the purposes of Title V, Section 502(2)(B) of the CAA, 42 U.S.C. § 7661(2)(B), and 40 C.F.R. § 70.2 define "major source" as, among other things, any source that emits or has the potential to emit one hundred tons per year (tpy) or more of any air pollutant.
13. Section 504(a) of the CAA, 42 U.S.C. § 7661c(a), requires that each Title V operating permit include enforceable emission limitations and standards, a schedule of compliance, and other conditions necessary to assure compliance with applicable requirements, including those contained in a SIP.
14. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), requires, in part, that after the effective date of any permit program approved or promulgated under Title V of the CAA, it shall be unlawful for any person to violate any requirement of a permit issued under Title V.

15. EPA approved Wisconsin's Title V operating permit program on an interim basis on March 6, 1995. 60 *Fed. Reg.* 12128 (March 6, 1995). EPA fully approved the program on December 4, 2001. 66 *Fed. Reg.* 62951 (December 4, 2001).
16. WDNR issued Title V Permit No. 609037220-P10 to AMPI on April 5, 2006.
17. Condition 1.A.1.a.(1) of AMPI's Title V Permit No. 609037220-P10 requires that PM emissions from Boiler B20 at the facility not exceed 54 pounds per hour (lb/hr), which is equivalent to 0.60 lb/mmBTU heat input at 100 percent capacity.
18. Condition 1.A.1.b.(1)(a) of AMPI's Title V Permit No. 609037220-P10 requires that performance tests of Boiler B20 to determine compliance with the PM emission limit be conducted every 24 months.
19. Condition 1.A.1.b.(1)(c) of AMPI's Title V Permit No. 609037220-P10 requires that performance tests of Boiler B20 to determine compliance with the PM emission limit be conducted in accordance with Condition 1.H.4.a.(1) of AMPI's Title V Permit No. 609037220-P10.
20. Condition 1.H.4.a.(1) of AMPI's Title V Permit No. 609037220-P10 requires that any required performance test be conducted while operating at 100 percent capacity.

Findings of Fact

21. AMPI owns and operates a cheese production facility with a Babcock & Wilcox coal boiler, identified as Boiler B20 in AMPI's Title V Permit No. 609037220-P10, at 14193 County Highway S, Jim Falls, Wisconsin.
22. AMPI is a "person," as that term is defined at NR 400.02(123) of the Wisconsin SIP.
23. AMPI's Jim Falls, Wisconsin, facility has the potential to emit over 100 tpy of PM, making it a "major source," as that term is defined at Section 502(2)(B) of the CAA, 42 U.S.C. § 7661(2)(B), and 40 C.F.R. § 70.2.
24. Boiler B20 has a rated steam capacity of 75,000 lb/hr and a heat input rating of 90 mmBTU/hr.
25. AMPI installed Boiler B20 in 1957, making it subject to the PM emission limit in NR 154.11(4)(a) of the Wisconsin SIP [NR 415.06(1)(a)].
26. Boiler B20 is equipped with a high-efficiency multicyclone for PM control.
27. On December 7, 2010, Interpoll Laboratories, Inc. (Interpoll) conducted a performance test for AMPI to determine the PM emission rate from Boiler B20. It conducted the test at a heat input between 39 and 47 mmBTU/hr, which is between 43 and 52 percent of the boiler's rated heat input.

28. The results of the December 7, 2010, performance test demonstrated a PM emission rate from Boiler B20 of 0.76 lb/mmBTU heat input, which when extrapolated to 100 percent of the boiler's rated heat input, equals approximately 1.60 lb/mmBTU heat input.
29. The results of the December 7, 2010, performance test demonstrated a PM emission rate from Boiler B20 of 32.19 lb/hr, which when extrapolated to 100 percent of the boiler's rated heat input, equals approximately 68.04 lb/hr.
30. On October 18, 2011, Interpoll conducted a performance test for AMPI to determine the PM emission rate from Boiler B20. It conducted the test at a heat input between 37 and 43mmBTU/hr, which is between 41 and 48 percent of the boiler's rated heat input.
31. The results of the October 18, 2011, performance test demonstrated a PM emission rate from Boiler B20 of 0.89 lb/mmBTU heat input, which, when extrapolated to 100 percent of the boiler's rated heat input, equals approximately 2.03 lb/mmBTU heat input.
32. The results of the October 18, 2011, performance test demonstrated a PM emission rate from Boiler B20 of 35.37 lb/hr, which when extrapolated to 100 percent of the boiler's rated heat input, equals approximately 80.65 lb/hr.
33. On March 8, 2013, Interpoll conducted a performance test for AMPI to determine the PM emission rate from Boiler B20. It conducted the test at a heat input between 43 and 46 mmBTU/hr, which is between 48 and 51 percent of the boiler's rated heat input.
34. The results of the March 8, 2013, performance test demonstrated a PM emission rate from Boiler B20 of 0.36 lb/mmBTU heat input, which, when extrapolated to 100 percent of the boiler's rated heat input, equals 0.72 lb/mmBTU heat input.

Violations

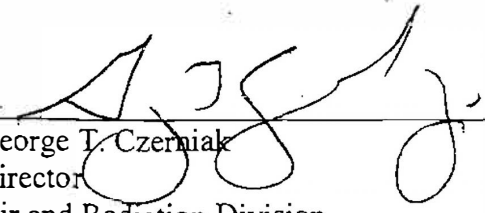
35. Based on the results of the December 7, 2010, October 18, 2011, and March 8, 2013, performance tests of Boiler B20, AMPI failed to comply with the PM emission rate in NR 154.11(4)(a) of the Wisconsin SIP [NR 415.06(1)(a)], Condition I.A.1.a.(1) of its Title V Permit No. 609037220-P10, and Section 502(a) of the CAA, 42 U.S.C. § 7661a(a).
36. AMPI failed to conduct the December 7, 2010, October 18, 2011, and March 8, 2013, performance tests of Boiler B20 at 100 percent capacity, in violation of NR 439.07(1) of the Wisconsin SIP, Conditions I.A.1.b.(1)(c) and I.H.4.a.(1) of AMPI's Title V Permit No. 609037220-P10, and Section 502(a) of the CAA, 42 U.S.C. § 7661a(a).

Environmental Impact of Violations

37. AMPI's exceedances caused increased public exposure to unhealthy PM. Acute respiratory effects of the inhalation of PM include narrowing of the airways and asthma attacks. Chronic respiratory effects include damage to lung tissue, increased pulmonary resistance, and fibrotic changes in lung tissue. Increased pulmonary resistance and fibrosis may lead to cardiovascular impairment.

Date

5/2/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-14-WI-02, by Certified Mail, Return Receipt Requested, to:

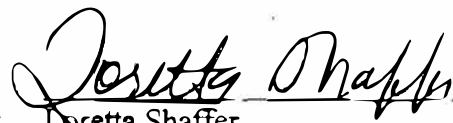
Randy Paulson
Manager
Associated Milk Producers, Inc.
14193 County Highway S
Jim Falls, Wisconsin 54748

I also certify that I sent copies of the Notice of Violation by first class mail to:

Jeff Johnson
Supervisor
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, Wisconsin 54701

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

On the 7 day of May 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

Certified Mail Receipt Number: 7009 1680 0000 7676 3134

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Rust-Oleum Corporation
8105 95th Street
Pleasant Prairie, Wisconsin 53158**

ATTENTION:

**Mark Frick
Vice President of Environmental, Health and Safety**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency (EPA) is requiring Rust-Oleum Corporation ("Rust-Oleum" or "you") to submit certain information about the facility at 8105 95th Street, Pleasant Prairie, Wisconsin ("Pleasant Prairie Facility"). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Rust-Oleum owns and operates emission sources at the Pleasant Prairie Facility. We are requesting this information to determine whether your emission sources are complying with the CAA.

Rust-Oleum must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Rust-Oleum must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks to collect information from specific individuals or entities as part of an administrative action or investigation.

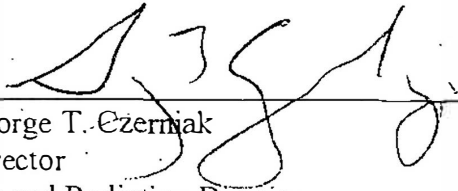
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject Rust-Oleum to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Virginia Galinsky at (312) 353-2089.

Date

5/8/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide the submission on physical media such as a compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request, so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq* or the CAA's implementing regulations, including the regulations at 40 C.F.R. part 63.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "relate to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term "capital appropriation request" shall mean any document used by plant personnel in seeking management approval for planned expenditures at Rust-Oleum's Facility in Pleasant Prairie, Wisconsin. These documents are also known as authorizations for expenditure, capital requests or other, similar names.

Appendix B
Information You Are Required to Submit to EPA

Rust-Oleum must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), for its Pleasant Prairie Facility (Facility) within 30 calendar days of receipt of this Request:

1. Provide a copy of the full permit application submitted to the Wisconsin Department of Natural Resources (WDNR) or U.S. EPA for construction permit 88-DAA-212, issued June 16, 1988. Also provide a copy of the final construction permit.
2. Provide a copy of the full permit application submitted to WDNR or U.S. EPA for the Type A Registration Operation Permit and Type A Registration Construction Permit number 230072040-ROPA, issued November 25, 2009.
3. From June 1, 1988, to the present, provide copies of the full test reports for all complete or partial air emissions testing for volatile organic compounds (VOC). Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. If not identified in the report(s), provide the operating rate (e.g., gallons per minute) of the sources being tested.
4. Provide copies of all capture efficiency testing conducted on any emission unit at the Facility from January 1, 2010, to the present.
5. For each emission unit at the Facility, provide, in a Microsoft Excel spreadsheet or other compatible format, the calculated monthly actual VOC emissions from April 2009 to the present. Explain or provide example calculations demonstrating how the emissions were calculated.
6. Provide, in a Microsoft Excel spreadsheet or other compatible format, the gallons of product produced per month at the Facility, from April 1, 2009, to the present.
7. Provide, in a Microsoft Excel spreadsheet or other compatible format, the hourly average temperature of the regenerative thermal oxidizer (RTO) from April 1, 2009, to the present.
8. Provide copies of all analyses conducted to determine the Facility's status as a major source or area source of hazardous air pollutants. Include all supporting calculations.
9. Provide copies of any determinations done pursuant to 40 C.F.R. § 63.10(b)(3).

10. Provide copies of any Initial Notification and any Notification of Compliance Status submitted pursuant to 40 C.F.R. §§ 63.11603(a)(1), 63.11603(a)(2), 63.8070(b), and/or 63.8075(d).
11. Provide copies of the Material Safety Data Sheet for each material used at the Facility that contains benzene, cadmium, chromium, or nickel in amounts greater than 0.1%, or methylene chloride or lead in amounts greater than 1.0%.
12. For each Line 2, 3, and 4, provide the following:
 - a. The date construction started;
 - b. The first date of operation;
 - c. The potential to emit, without controls, including supporting calculations; and
 - d. Copies of all written correspondence, determinations, documents, or communications with the WDNR concerning the construction of any of the Lines.
13. For Line 1, provide the potential to emit, without controls, including supporting calculations.
14. Provide copies of all capital appropriations requests, internal memos, technical documentation and authorizations, including attachments and addenda, relating to projects on the RTO from January 1, 2012, to the present.
15. Provide a copy of the capital appropriations requests, including attachments and addenda, relating to the project to use nitrogen blankets in the milling tanks.
16. Provide a copy of the RTO Operation and Maintenance Manual.
17. Provide a list of all air enforcement actions related to the Facility taken by any state or local regulatory agency from January 1, 2009, to the present. Include copies of any air-related administrative or judicial complaints; any notices of violation or notices of non-compliance; any documents resolving violations, such as consent decrees or consent orders; and any orders, such as administrative orders.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emission data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING


I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Mark Frick, Vice President of Environmental, Health and Safety
Rust-Oleum Corporation
8105 95th Street
Pleasant Prairie, Wisconsin 53158

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bill Baumann
Section Chief, Compliance and Enforcement
Wisconsin Department of Natural Resources
PO Box 7921
Madison, Wisconsin 53707

On the 12 day of May 2014.


Loretta Shaffer
AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 3202

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Wisconsin Plating Works of Racine
931 Carrol Street
Racine, Wisconsin 53403

ATTENTION:

Jeffrey J. Toeppe, Vice President

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Wisconsin Plating Works of Racine (Wisconsin Plating or you) to submit certain information about the facilities at 931 Carrol Street and 620 Stannard Street in Racine, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Wisconsin Plating owns and operates emission sources at the Carrol Street and Stannard Street facilities. We are requesting this information to determine whether your emission sources are complying with the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 C.F.R. Part 63,

Subpart N) and the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (40 C.F.R Part 63, Subpart W'WWWW'W).

Empire must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Empire must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

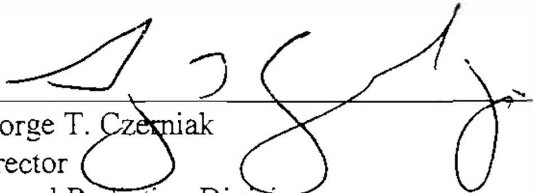
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Empire to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Katharina Bellairs at 312-353-1669.

Date

6/5/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401-7671, or the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (40 C.F.R Part 63, Subpart N), or the National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Plating and Polishing Operations (40 C.F.R Part 63, Subpart WWWWWW).

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Wisconsin Plating must submit the following information regarding its facilities, located at 931 Carrol Street and 620 Stannard Street in Racine, Wisconsin, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 30 days from receipt of this Request:

1. A brief description of all the plating and polishing processes at the facility, including a list of all metals used or emitted from one or more of the plating and polishing operations.
2. A calculation of the facility's potential to emit any single hazardous air pollutant (HAP), including the emissions from the metals listed in response to request 1, above. Include all assumptions made.
3. A detailed description of each chromium electroplating tank located at the facility. The description should include, at a minimum, the following information:
 - a. The name or number assigned by Wisconsin Plating for each tank as well as the number assigned by Wisconsin Department of Natural Resources;
 - b. The date that each tank began operation at the facility;
 - c. Uses of each tank, including a detailed description of the process in which each tank is used;
 - d. A complete list and description of all air pollution controls (equipment or techniques) used for each tank, including any manufacturer name or model number associated with such controls. The description must include:
 - i. Any air pollution control devices, as defined by 40 C.F.R. § 63.341, applied to each piece of air pollution emission equipment or air pollution control technique associated with each tank; and
 - ii. The operating procedures for all control devices and techniques.
4. Copies of all reports from tests conducted of the chromium air emissions from each tank for the purpose of demonstrating compliance with 40 C.F.R. Part 63, Subpart N. This includes, but is not limited to, the report for which the operating parameter value of pressure drop across each unit was determined.
5. Copies of all Initial Notification Reports submitted to EPA for each affected source at the facility, as required under 40 C.F.R. § 63.347(c) and 40 C.F.R. § 63.11509(a), as well as the date(s) on which these reports were submitted.
6. Copies of all Notification of Compliance Status Reports required under 40 C.F.R. § 63.347(e) and under 40 C.F.R. § 63.11509(b), as well as the date(s) on which these reports were submitted and the agency or agencies to which these reports were submitted.

7. Copies of all annual certifications prepared and/or submitted along with any deviation reports required under 40 C.F.R. § 63.11509(c), 40 C.F.R. § 63.342(b)(1)(ii) and 40 C.F.R. § 63.347(h), as well as the date(s) on which the certifications were prepared and/or submitted and the agency or agencies to which the certifications were submitted.
8. If not included in the Notification of Compliance Status Reports required in request 6, above, provide the average value of each operating parameter value, or range of values required under 40 C.F.R. § 63.343(c), measured during every air pollution test conducted at the facility for purposes of demonstrating compliance with the applicable emission limits in 40 C.F.R. Part 63, Subpart N.
9. Copies of all records of the operating parameter values required under 40 C.F.R. § 63.343(c) recorded over the 5 year period prior to the date of your receipt of this request.
10. Provide the WA/FS name, manufacturer and MSDS for all WA/FSs used to control any chrome or nickel tank at each facility.
11. If not included in response to request 10, provide copies of all records of the operating time and wetting agent or fume suppressant (WA/FS) for each chrome and nickel tank at the facilities over the 5 year period prior to the date of your receipt of this request.
12. If not included in response to request 10, provide copies of all records of the surface tension readings for each chrome tank at the facilities over the 5 year period prior to the date of your receipt of this request. Include a description of whether a stalagmometer or tensiometer was used to collect these readings.
13. Copies of the written operation and maintenance plan, including any revisions over the 5 year period prior to the date of your receipt of this request.
14. A detailed description of each dry mechanical polishing operation located at the facility. The description should include, at a minimum, the following information:
 - a. A complete list and description of all air pollution controls (equipment or techniques) used for each operation, including any manufacturer name or model number associated with such controls. The description must include:
 - i. Any air pollution controls applied to each polishing operation; and
 - ii. The manufacturer's operating instructions for all control systems and techniques.
15. Provide true, accurate and complete copies of all reports and other data relating to any air emission testing conducted at the facility during the period of time from May 1, 2000, through the date of this request. Include true, accurate and complete copies of all source test protocols and source test results conducted by or on behalf of the facility.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emission data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

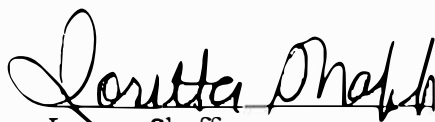
Jeffrey J. Toeppe, Vice President
Wisconsin Plating Works of Racine
P.O. Box 1813
Racine, Wisconsin 53401-1813

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

William Baumann, Chief, Compliance and Enforcement Section
Wisconsin Department of Natural Resources
Bureau of Air Management
101 South Webster Street
P.O. Box 7921 (AM17)
Madison, Wisconsin 53707-7921

Dan Schramm, Environmental Engineer Supervisor
Wisconsin Department of Natural Resources
Milwaukee Service Center
2300 N Dr. Martin Luther King Jr Drive
Milwaukee Wisconsin 53212

On the 9 day of June 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, Planning and Administration Section

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 0000 7676 3561



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

JUN 19 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Erica Grant, Operations Leader
Atlas Resin Proppants, LLC
W 10899 Cherry Road
Merrillan, Wisconsin 54754

Re: Notice of Violation
Atlas Resin Proppants, Merrillan Facility
Merrillan, Wisconsin

Dear Ms. Grant:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Atlas Resin Proppants, LLC (you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you have violated conditions of your Synthetic Minor Non-Part 70 Operation Permit No. 627019690-F01 at your Merrillan, Wisconsin facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Natalie Topinka. You may contact her at (312) 886-3853 or topinka.natalie@epa.gov to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

Enclosure

cc: Bill Baumann, WDNR
Jeff Johnson, WDNR

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Atlas Resin Proppants, LLC
Merrillan, Wisconsin

Proceedings Pursuant to
Section 113(a)(1) of the
Clean Air Act, 42 U.S.C.
§ 7413(a)(1)

NOTICE OF VIOLATION

EPA-5-14-WI-05

NOTICE OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1) (Act). EPA finds that Atlas Resin Proppants, LLC (Atlas) has violated conditions of its Synthetic Minor Non-Part 70 Operation Permit No. 627019690-F01 at its Merrillan, Wisconsin facility, as follows:

Statutory and Regulatory Background

1. Pursuant to Section 110 of the Act, 42 U.S.C. § 7410, each State is responsible for submitting to EPA for approval an implementation plan which specifies how the State will achieve, maintain, and enforce all primary and secondary National Ambient Air Quality Standards in the State.
2. Under Section 110(a) of the Act, each SIP must include a permit program, enforceable emission limitations, control measures, and schedules for compliance. Upon EPA's approval of a SIP, the plans become independently enforceable by the federal government, as stated under Section 113(a) of the Act, 42 U.S.C. § 7413(a).
3. "Major Stationary Source" is defined in Wisconsin Administrative Code (WAC) NR 405.02(22)(a) as any source which "emits, or has the potential to emit, 100 tons per year or more of any air contaminant subject to regulation" under the Act. As defined in WAC NR 400.02(53s), a minor source is "any stationary source which is not a major source." A synthetic minor, therefore, is a source which voluntarily takes a federally enforceable emissions limit to remain a minor source.
4. Section 113(a)(1) of the Act authorizes the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a requirement or prohibition of an applicable implementation plan or permit.

Factual Background

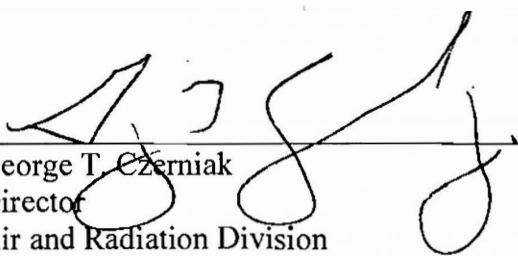
5. Atlas owns and operates a resin coated sand production facility at W 10899 Cherry Road, Merrilan, Wisconsin (the Merrilan Facility).
6. The Merrilan Facility operates under Synthetic Minor Non-Part 70 Operation Permit No. 627019690-F01 (Operating Permit) issued by the Wisconsin Department of Natural Resources (WDNR) on December 4, 2012.
7. The Merrilan Facility includes four resin-coated sand production lines, known as Towers C, D, E, and F and identified in the Operating Permit as Processes P250, P350, P450, and P550, respectively.
8. The Operating Permit requires the Merrilan Facility to limit phenol emissions to 0.43 pounds per hour for each resin-coated sand production line.
9. EPA sent a request for information to Atlas pursuant to Section 114 of the Act on June 13, 2013. The request included the requirement to conduct stack testing for phenol, formaldehyde, and total volatile organic compounds (VOC) on each of its four production lines at the Merrilan Facility.
10. Atlas conducted the stack test on November 4-6, 2013. Atlas provided preliminary test results to EPA on January 31, 2014, and provided the final stack test results and report to EPA on February 13, 2014.

Violations

11. The stack test of November 6, 2013 for Tower F (P550) showed that phenol emissions were 1.01 lb/hr, in exceedance of the federally enforceable Operating Permit's 0.43 lb/hr limit.

Date

6/19/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice of Violation, No. EPA-5-14-WI-05, by

Certified Mail, Return Receipt Requested, to:

Erica Grant, Operations Leader
Atlas Resin Proppants, LLC
W 10899 Cherry Road
Merrillan, Wisconsin 54754

I also certify that I sent copies of the Notice of Violation by first-class mail to:

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AMJ7)
Madison, Wisconsin 53707-7921

Jeff Johnson
Supervisor
West Central Region
Bureau of Air Management
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, Wisconsin 54701

On the 24 day of June 2014.



Loretta Shaffer
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7001 0320 0006 0185 9990



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

SEP 10 2014

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joe Urban
Environmental, Health and Safety Manager
Rust-Oleum Corporation
8105 Fergusson Drive
Pleasant Prairie, Wisconsin 53158

Dear Mr. Urban:

The U.S. Environmental Protection Agency has determined that Rust-Oleum Corporation (Rust-Oleum) is in violation of the Clean Air Act (the Act or CAA) and associated state or local pollution control requirements at its facility at 8105 Fergusson Drive, Pleasant Prairie, Wisconsin. A list of the requirements violated is provided below. We are today issuing to you the enclosed Notice of Violation and Finding of Violation (NOV/FOV) for these alleged violations.

EPA finds that Rust-Oleum has violated the federally-enforceable Registration Operating Permit issued to the facility by the Wisconsin Department of Natural Resources, as well as the Wisconsin SIP. Violations of the Wisconsin SIP constitute violations of Title I of the CAA and its implementing regulations. Additionally, EPA finds that Rust-Oleum has violated the National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.

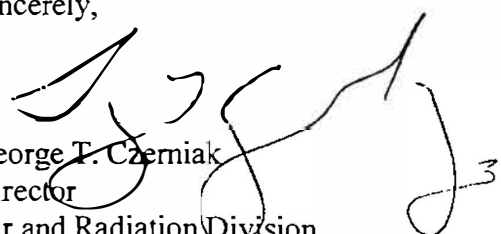
Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV/FOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV/FOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contacts in this matter are Virginia Galinsky, Environmental Engineer, and Gary Steinbauer, Associate Regional Counsel. You may call them at (312) 353-2089 and (312) 886-4306, respectively, if you wish to request a conference. You should make the request for a conference within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter. EPA hopes that this NOV/FOV will encourage Rust-Oleum's compliance with the requirements of the Act.

Sincerely,



George T. Czerniak
Director
Air and Radiation Division

cc: Bill Baumann
Chief
Compliance Enforcement and Emission Inventory Section
Bureau of Air Management
Wisconsin Department of Natural Resources

Enclosure

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Rust-Oleum
Pleasant Prairie, Wisconsin**

Proceedings Pursuant to
the Clean Air Act
42 U.S.C. §§ 7401-

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**NOTICE OF VIOLATION and
FINDING OF VIOLATION**

EPA-5-14-WI-08

NOTICE AND FINDING OF VIOLATION

Rust-Oleum Corporation (you or Rust-Oleum) owns and operates a paint manufacturing facility at 8105 Fergusson Drive, Pleasant Prairie, Wisconsin (facility). Operations at the facility include mixing tanks, thindown tanks, storage tanks, and fill lines. Air emission control equipment for these operations include hoods and a regenerative thermal oxidizer.

The U.S. Environmental Protection Agency is sending this Notice of Violation and Finding of Violation (NOV/FOV or Notice) because you have failed to comply with the requirements of a federally-enforceable state operating permit, the State Implementation Plan, and the requirements under the National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing.

Clean Air Act

1. Section 110 of the Clean Air Act (CAA or Act), 42 U.S.C. § 7410, requires states to submit State Implementation Plans (SIPs) to EPA which provide for implementation, maintenance, and enforcement of the primary and secondary National Ambient Air Quality Standards (NAAQS) established by EPA under Title I of the Act.

2. Section 112(b) of the Act, 42 U.S.C. § 7412(b) lists 188 Hazardous Air Pollutants (HAPs) that cause adverse health or environmental effects.

3. Section 112(d)(1) of the Act, 42 U.S.C. § 7412(d), requires EPA to promulgate regulations establishing emissions standards for each category or subcategory of major and area sources of HAPs that are listed for regulation pursuant to Section 112(c), 42 U.S.C. § 7412(c).

4. Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), and 40 C.F.R. § 52.23, authorize the Administrator to initiate an enforcement action whenever, among other things, the Administrator finds that any person has violated or is in violation of a SIP provision, any permit limitation or condition contained within an operating permit issued under a SIP, and section 112 of the Act.

Wisconsin State Implementation Plan

5. On January 18, 1995, EPA approved Wisconsin's Federally Enforceable State Operating Permits (FESOP) program as part of the Wisconsin SIP. 60 Fed. Reg. 3538.

6. On February 6, 2006, EPA approved Wisconsin's Registration Permit program, to exempt facilities with low annual emissions from the FESOP program, as part of the Wisconsin SIP. 71 Fed. Reg. 5979. The Registration Permit program became effective on March 8, 2006.

7. Wisconsin's Registration Permits are provided for in the Wisconsin Statutes at 10 Wis. Stats. § 285.60(2g), with implementing regulations found at Wisconsin Administrative Code (Wis. Admin. Code) NR § 407.

8. According to Wis. Admin. Code NR § 407.105(2)(a)1., a Registration Permit is appropriate for facilities whose calendar year sum of actual emissions of each air contaminant do not exceed 25% of any major source threshold in Wis. Admin. Code NR § 407.02(4).

9. The major stationary source thresholds are 100 tons per year (tpy) for particulate matter (PM), volatile organic compounds (VOCs), nitrogen oxides (NO_x), sulfur dioxide (SO₂), and carbon monoxide (CO). Wis. Admin. Code NR § 407.02(4); 40 C.F.R. § 51.21(b)(1)(i)(a); 40 C.F.R. § 70.2.

10. On February 25, 1994, EPA approved revisions to the Wisconsin SIP for ozone. These revisions included the approval of Wis. Admin. Code NR § 424 into the Wisconsin SIP. 59 Fed. Reg. 9158.

11. Wis. Adm. Code NR § 424.03 applies to all process lines which emit organic compounds, solvents or mixtures located within the Southeastern Wisconsin Air Quality Control Region, except organic compound-water separation systems that process 200 gallons per day or less, enclosed paint spraying operations from which VOC emissions are never greater than 30 pounds in any day, and all other process lines from which VOC emissions are never greater than 15 pounds in any day and 3.1 pounds in any hour.

12. Wis. Adm. Code NR § 424.03(2) provides that process lines on which construction or modification commenced on or after August 1, 1979 and which are not subject to emission limitations listed elsewhere in Wis. Admin. Code NR § 419 or § 423 shall control VOC emissions by at least 85%, unless 85% control has been demonstrated to be technologically infeasible for a specific process line.

NESHAP for Area Sources: CCCCCC

13. EPA promulgated the National Emission Standards for Hazardous Air Pollutants for Area Sources: Paints and Allied Products Manufacturing (NESHAP Subpart CCCCCC) on December 3, 2009. 74 Fed. Reg. 63504. The subpart is codified at 40 C.F.R. §§ 63.11599 – 60.11618.

14. 40 C.F.R. § 63.11599(a) provides that “[y]ou are subject to this subpart if you own or operate a facility that performs paints and allied products manufacturing that is an area

source of hazardous air pollutant (HAP) emissions and processes, uses, or generates materials containing HAP, as defined in §63.11607.”

15. 40 C.F.R. § 63.11599(b) provides that the “affected source” consists of “all paints and allied products manufacturing processes that process, use, or generate materials containing HAP at the facility.” An affected source is existing if it commenced construction or reconstruction before June 1, 2009.

16. 40 C.F.R. § 63.11607 defines “paints and allied products manufacturing” as “the production of paints and allied products, the intended use of which is to leave a dried film of solid material on a substrate. Typically, the manufacturing processes that produce these materials are described by Standard Industry Classification (SIC) codes 285 or 289 and North American Industry Classification System (NAICS) codes 3255 and 3259 and are produced by physical means, such as blending and mixing, as opposed to chemical synthesis means, such as reactions and distillation. Paints and allied products manufacturing does not include: (1) The manufacture of products that do not leave a dried film of solid material on the substrate, such as thinners, paint removers, brush cleaners, and mold release agents; (2) The manufacture of electroplated and electroless metal films; (3) The manufacture of raw materials, such as resins, pigments, and solvents used in the production of paints and coatings; and (4) Activities by end users of paints or allied products to ready those materials for application.”

17. 40 C.F.R. § 63.11607 defines “paints and allied products” as “materials such as paints, inks, adhesives, stains, varnishes, shellacs, putties, sealers, caulks, and other coatings from raw materials that are intended to be applied to a substrate and consists of a mixture of resins, pigments, solvents, and/or other additives.”

18. 40 C.F.R. § 63.11607 defines “material containing HAP” as “material containing benzene, methylene chloride, or compounds of cadmium, chromium, lead, and/or nickel, in amounts greater than or equal to 0.1 percent by weight for carcinogens, as defined by the Occupational Safety and Health Administration at 29 CFR 1910.1200(d)(4), or 1.0 percent by weight for non-carcinogens, as shown in formulation data provided by the manufacturer or supplier, such as the Material Safety Data Sheet for the material. Benzene and methylene chloride are volatile HAP. Compounds of cadmium, chromium, lead and/or nickel are metal HAP.”

19. 40 C.F.R. § 63.11603(a)(1) requires owners and operators of existing affected facilities to submit an Initial Notification of Applicability no later than June 1, 2010.

20. 40 C.F.R. § 63.11603(a)(2), requires owners and operators of existing affected facilities to submit a Notification of Compliance Status no later than June 3, 2013.

21. NESHAP Subpart CCCCCC requires owners and operators of affected sources to comply with certain emission control standards (40 C.F.R. § 63.11601), conduct certain inspections and monitoring activities (40 C.F.R. § 63.11602), and create an annual compliance certification and keep certain records (40 C.F.R. § 63.11603(b)-(c)).

Factual Background

22. Rust-Oleum owns and operates a paint manufacturing facility at 8105 Fergusson Drive, Pleasant Prairie, Wisconsin (facility). The NAICS Code for its facility is 325510. Emission units at the facility include storage tanks, mixing tanks, thindown tanks and four paint fill lines. Rust-Oleum uses hoods and a regenerative thermal oxidizer (RTO) to control emissions from paint lines 1-3 and a total enclosure and the same RTO to control emissions from paint line 4.

23. Effective July 20, 2012, part of Kenosha County, including Pleasant Prairie, was designated marginal nonattainment for the 2008 8-hour ozone NAAQS. 77 Fed. Reg. 34221.

24. On October 26, 2009, Rust-Oleum applied for a Type A Registration Operation Permit (ROP) and Type A Registration Construction Permit (RCP). WDNR issued Rust-Oleum ROP/RCP # 23072040-ROPA on November 25, 2009.

25. Condition A.1 of the ROP/RCP requires Rust-Oleum to limit its annual actual emission of PM, VOCs, NO_x, SO₂, CO, and federally regulated hazardous air pollutants to less than 25% of any major source threshold set forth in Wis. Adm. Code § NR 407.02(4), on a calendar year basis.

26. For VOCs, 25% of the major source threshold in a moderate or marginal nonattainment area for the 2008 8-hour ozone NAAQS is 25 tons per year. Wis. Adm. Code NR § 407.02(4)

27. Condition A.3 of the ROP/RCP requires Rust-Oleum to comply with Wis. Admin. Code NR § 424.03 as applicable.

28. Condition D.3 of the ROP/RCP requires Rust-Oleum to meet, at a minimum, the control efficiency listed in Section G of the ROP/RCP or the specific control efficiency required in the ROP/RCP.

29. Section G of the ROP/RCP requires sources using a thermal oxidizer with a hood to capture emissions to achieve a VOC control efficiency of at least 76%. Sources using a thermal oxidizer with a total enclosure are required to achieve a VOC control efficiency of at least 95%.

30. On February 11, 2014, EPA conducted an on-site inspection at Rust-Oleum's facility. During the inspection, Rust-Oleum's environmental manager told EPA that the air flow to the RTO was about 9,000 to 10,000 standard cubic feet per minute before the installation of paint fill line 4. Based on engineering calculations, the same environmental manager stated that air flow to the RTO since the installation of paint fill line 4 should be about 14,000 to 15,000 cubic feet per minute.

31. A performance test was conducted on the RTO on April 17, 2014. During this test, the air flow was measured to be 10,187 dry standard cubic feet per minute as an average over the three one-hour test runs.

32. Engineering calculations that Rust-Oleum conducted before the addition of Line 4 to the RTO system estimated the capture efficiency of the hoods on lines 1-3 to be 86.8%. Based on Rust-Oleum's stated engineering calculations of air flow to the RTO and existing capture efficiency of the system, in conjunction with the air flow data gathered during the April 2014 performance test, the addition of Line 4 caused Rust-Oleum's overall capture efficiency to decrease to approximately 66.3%.

33. Rust-Oleum collected samples to estimate the capture efficiency of its system on February 20, 2014. These samples were not collected pursuant to an approved method, but EPA's review of the method indicates that it is likely to produce reasonable results. This testing determined the capture efficiency of the paint fills lines to be 8% for line 1, 21% for line 2, 54% for Line 3, and 92% for line 4. According to this testing, the capture efficiency of the gashouses was 7% for line 1, 43% for line 3, and 52% for line 4. The capture efficiency of the gashouse for line 2 was not determined.

34. At the facility, Rust-Oleum uses the following materials that contain compounds of cadmium, or nickel in amounts greater than 0.1 percent by weight, as shown on the Material Safety Data Sheet for the material:

- a. StaySteel: 16–18% chromium and 10–14% nickel
- b. Chromaflair: 1.0–10.0% chromium
- c. Chromium oxide green: greater than 98% chromic (III) oxide
- d. Siscotan yellow: 95–99% chromium

35. Rust-Oleum is an affected facility pursuant to NESHAP Subpart CCCCCC because it is a paint and allied products manufacturing facility that processes, uses, or generates materials containing HAPs.

36. As of the date of this Notice, Rust-Oleum has not submitted an Initial Notification of Applicability or an Initial Notification of Compliance Status under NESHAP Subpart CCCCCC.

Violations

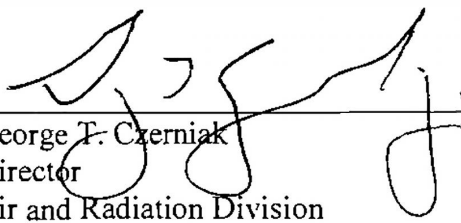
37. Based on the available information, EPA believes that Rust-Oleum is not achieving 85% control of VOCs at its process lines, in violation of Wis. Admin. Code NR § 424.03(2) and Condition A.3. of the ROP/RCP.

38. Based on the available information, EPA believes that Rust-Oleum is not achieving the control efficiencies required by Condition D.3. of the ROP/RCP.

39. By failing to submit an Initial Notification of Applicability or an Initial Notification of Compliance Status, EPA believes Rust-Oleum has violated 40 C.F.R. §§ 63.11603(a)(1) and (a)(2).

Date

9/10/14


George T. Czerniak
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Notice and Finding of Violation, No. EPA-5-14-WI-08, by Certified Mail, Return Receipt Requested, to:

Joe Urban
Environmental, Health and Safety Manager
Rust-Oleum Corporation
8105 Fergusson Drive
Pleasant Prairie, WI 53158

I also certify that I sent copies of the Notice of Violation and Finding of Violation by first-class mail to:

Bill Baumann
Chief
Compliance Enforcement and Emission Inventory Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 S. Webster St.
PO Box 7921 (AM/7)
Madison, Wisconsin 53702

On the 11 day of September 2014.

CERTIFIED MAIL RECEIPT NUMBER:

Loretta Shaffer

7011 1150 0000 2639 3427

Loretta Shaffer, Administrative Program Assistant
Planning and Administration Section

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Associated Milk Producers, Inc.
14193 County Highway S
Jim Falls, Wisconsin 54748

ATTENTION:

Randy Paulson
Manager

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Associated Milk Producers, Inc. (AMPI or you) to submit certain information about the facility at 14193 County Highway S, Jim Falls, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

AMPI owns and operates an emission source at the Jim Falls, Wisconsin, facility. We are requesting this information to determine whether your emission source is complying with the CAA, the Wisconsin State Implementation Plan (SIP), and its Permit No. 609037220-P10.

AMPI must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

AMPI must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

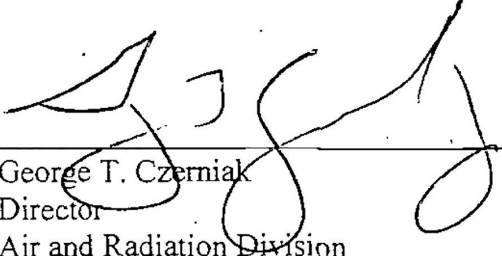
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject AMPI to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Ray Cullen at (312) 886-0538 or cullen.raymond@epa.gov or Eaton Weiler at (312) 886-6041 or weiler.eaton@epa.gov.

Date

9/15/14


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document or electronically stored information (ESI) produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents, ESI, or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents, ESI, or information are not available or in your possession and identify any source that either possesses or is likely to possess the documents, ESI, or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents or ESI responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents or ESI in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document or ESI to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents or ESI claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this request for information will have their ordinary meaning unless such terms are defined in the Clean Air Act, 42 U.S.C. §§ 7401 *et seq.*, 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan), or other Act implementing regulations. Reference is made to EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions, when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by the EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with

the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.
4. The term "Boiler B20" shall mean the Babcock & Wilcox coal boiler, with a rated steam capacity of 75,000 pounds/hour (lb/hr) and heat input rating of 90 million British Thermal Units per hour (mmBTU/hr), as identified in AMPI's Permit No. 609037220-P10.

Appendix B

AMPI must submit the following information about and complete performance testing as described herein for the facility at 14193 County Highway S, Jim Falls, Wisconsin, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a):

1. Within 30 days from the date of receipt of this request, AMPI shall submit a performance test protocol for EPA approval to measure particulate matter (PM) emitted to the atmosphere from Boiler B20 to confirm compliance with the 0.60 pounds per million British Thermal Unit (lb/mmBTU) heat input limit in NR 415.06(1)(a) of the Wisconsin State Implementation Plan. This performance test shall be conducted in accordance with EPA Method 5 (found in 40 C.F.R. Part 60, Appendix A-3) and Method 202 (found in 40 C.F.R. Part 51, Subpart M). The performance test protocol shall describe at least three sampling runs, with each run lasting at least 1 hour. Each run shall be conducted while operating at a steam production rate no less than 45,000 pounds per hour (lb/hr), burning fuel that is representative of the boiler's worst-case normal operating conditions. AMPI shall make any adjustment to the testing protocol or operating conditions required by EPA.
2. Within 30 days from the date of receipt of EPA's approval of the performance test protocol, AMPI shall measure PM consistent with the approved performance test protocol. AMPI must notify EPA and the Wisconsin Department of Natural Resources 15 days prior to the testing date, in writing, of its intent to conduct this testing. AMPI shall not perform any repair activities or make any modifications to Boiler B20 or any associated control equipment beyond normal maintenance activities representative of past activities from the date of receipt of this request until the performance test has been completed.
3. Within 30 days of completion of the performance test, AMPI shall submit to EPA a report documenting all results of the test. This test report shall include the following, at a minimum:
 - a. Summary of results
 - i. Emissions of the measured pollutant in lb/hr and lb/mmBTU; and
 - ii. Discussion of test errors.
 - b. Facility operations
 - i. Description of the process and control equipment used during the test;
 - ii. Process and control equipment flow diagrams;
 - iii. Control device operating parameters maintained during the test in 15-minute increments;
 - iv. Steam production rate achieved during the test; and
 - v. The filter temperature

c. *Sampling and analytical procedures*

- i. Sampling port locations and dimensions of cross-section;
- ii. Description of sampling procedures, including equipment and diagram;
- iii. Description of sampling procedures (planned and accidental) that deviated from any standard method;
- iv. Description of analytical procedures, including calibration;
- v. Description of analytical procedures (planned and accidental) that deviated from any standard method; and
- vi. Quality control/quality assurance procedures, tests, and results.

d. *Appendix*

- i. Complete results with example calculations;
- ii. Raw field data (original, not computer printouts);
- iii. Laboratory report, with signed chain-of-custody forms; and
- iv. Calibration procedures and results (including reports from most recent calibrations or calibration checks on all applicable equipment).

Appendix C

Confidential Business and Personal Privacy Information Assertion Requirements

You may assert a business confidentiality claim covering any part of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emissions data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emissions data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the CAA, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and that disclosure of the information is likely to cause substantial harm to your business' competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. If there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate personnel, medical, and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

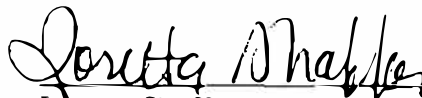
Randy Paulson
Manager
Associated Milk Producers, Inc.
14193 County Highway S
Jim Falls, Wisconsin 54748

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Jeff Johnson
Supervisor
Wisconsin Department of Natural Resources
1300 West Clairemont Avenue
Eau Claire, Wisconsin 54701

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

on the 17 day of Sept 2014.



Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

Certified Mail Receipt Number: 7009 1680 0000 7676 2014

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Evonik Industries
900 South Palm Street
Janesville, Wisconsin 53548**

ATTENTION:

**Joshua Hilden
EH&S Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Evonik Industries (Evonik or you) to submit certain information about the facility at 900 South Palm Street, Janesville, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule outlined in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Evonik owns and operates an emission source at the Janesville, Wisconsin facility. We are requesting this information to determine whether your emission source is complying with the Wisconsin State Implementation Plan, its Part 70 Operating Permit and the Clean Air Act.

Evonik must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Evonik must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

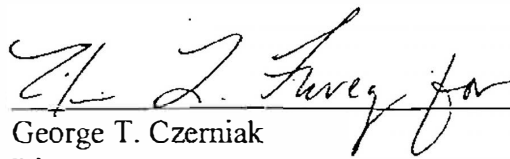
This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Evonik to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Dakota Prentice at (312) 886-6761 or prentice.dakota@epa.gov.

7/15/14
Date


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each disk or drive so that each document can be accurately identified in relation to your response to a specific question. We recommend the use of electronic file folders organized by question number. In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Evonik must respond to this information request within 30 days of receipt of this request, pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a).

1. Provide a copy of each current air permit issued for the facility by the Wisconsin Department of Natural Resources (WDNR), including, but not limited to, operating permits (e.g., Title V Permits) and construction permits.
2. Provide a copy of all permit applications submitted to WDNR for the facility since June 2004.
3. Provide a copy of all final permits issued to the facility by WDNR since June 2004.
4. Provide copies of all semi-annual Monitoring Reports submitted to WDNR since 2008, as required by Section ZZ of your Part 70 Operating permit.
5. Provide copies of all semi-annual compliance reports or equivalent documents submitted to either WDNR or EPA since 2009.
6. Provide copies of all annual emissions reports submitted to WDNR from 2009 to the present. For each criteria pollutant and hazardous air pollutant (HAP) reported as emitted, provide a narrative describing the method used for the annual emissions calculations, including the basis of any emissions factors used, and any documents outlining procedures for calculating annual emissions.
7. Provide a list and copies of each emissions test conducted at the facility for any reason, from June 1994 to the present. Emissions testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Use the following guidelines for compiling the list and preparing copies of the stack tests:
 - a. **List:** Identify the emissions unit, the date of the test, and the test method(s) used. For each test during which the source was not operating at maximum design capacity, provide an explanation for why production was limited. Indicate whether the report was shared with the state permitting agency.
 - b. **Copies:** Provide full stack test reports, including the summary pages, the section describing the process parameters and production or processing rates at the time of the test, all test runs, and all calculations. If not included in the test report, provide production data corresponding to the time of the test.
8. For each process, reactor, or tank at the facility associated with production, provide the following:

- a. An overall process diagram;
 - b. A diagram identifying how emissions are routed from each emissions unit to each control device (if present);
 - c. A description of the process and the design capacity of each emissions unit; and
 - d. A description of emissions control equipment used, if any, and design specifications.
9. For July 2009 to the present, provide the monthly and annual (12-month rolling total) production at the facility from each reactor.
10. For July 2009 to the present, provide the annual maximum production capacity of those portions of the plant described as "Area 1" and "Area 2."
11. For July 1, 2009 to the present, provide the following information associated with the Ethylene Oxide and Propylene Oxide Emissions Scrubber (Control Device C01). Parametric monitoring records should be provided as recorded by the facility:
 - a. Hours of operation of emissions units controlled by Control Device C01 when the emissions units were in operation while Control Device C01 was not in operation (monthly and annual);
 - b. Fresh water flow rate (gallons per minute);
 - c. Acid value (pH) of the scrubbant liquid;
 - d. Exhaust fan parameter as monitored by facility;
 - e. Acid solution recycle rate (gallons per minute);
 - f. Scrubber liquid flow rate (in gallons per minute);
 - g. Scrubber inlet pressure and differential pressure across scrubber;
 - h. The Malfunction Prevention and Abatement Plan (MPAP); and
 - i. If not included in the MPAP, the operating ranges for each parameter monitored, how the range was established, a copy of the performance test used to establish the operating range if not included in Request 7.
12. For July 1, 2009 to the present, provide the following information associated with the control of methyl chloride at Control Devices C02, C10 and C11. Parametric monitoring records should be provided as recorded by the facility:
 - a. Hours of operation of emissions units controlled by Control Devices C02, C10, and C11, when the emissions units were in operation, methyl chloride was present, and the control devices were not in operation (monthly and annual);
 - b. The parameters used to demonstrate continuous compliance at each control device;
 - c. The recorded operating parameters for each control device;
 - d. The MPAP for each control device; and
 - e. If not included in the MPAP, the operating ranges for each parameter monitored, how the range was established, a copy of the performance test used to establish the operating range if not included in Request 7.

13. For July 1, 2009 to the present, provide the following information associated with Reactors 9 and 10, Process P10. Parametric monitoring records should be provided as recorded by the facility:
 - a. Hours of operation of Reactors 9 and 10 when the associated vent condensers were not in operation (monthly and annual);
 - b. For each operating parameter monitored at the vent condenser, provide operating records of that parameter;
 - c. For each operating parameter monitored, provide the allowable operating range, and how the operating range was established (e.g., performance testing); and
 - d. Provide documentation showing how the facility demonstrated compliance with the emission limit of 15 pounds of volatile organic compounds (VOCs) per day.
14. For July 1, 2009 to the present, provide the following information associated with waste water pretreatment, Process P14:
 - a. Gallons of water processed (i.e., stripped) on a monthly basis; and
 - b. All documentation related to efforts regarding the investigation and implementation of efforts to reduce or eliminate methyl chloride or other contaminants from the waste water stream that require Process P14.
15. For July 1, 2009 to the present, provide the following information regarding Tanks T42, T77, and any other tanks used to store propylene oxide or ethylene oxide. Parametric monitoring records should be provided as recorded by the facility:
 - a. Temperature of the material stored in the tank;
 - b. Pressure of the tank; and
 - c. Setting of pressure relief valves.
16. For July 1, 2009 to the present, provide the following information regarding Tanks T70, T71, T200, and any other tanks used to store methyl chloride. Parametric monitoring records should be provided as recorded by the facility:
 - a. Pressure of the tank; and
 - b. Setting of pressure relief valves.
17. For those chemical products produced in Area I under conditions where Control Device C01 is not used to control emissions, provide estimated emissions of VOCs and HAPs, per batch and annually, with supporting documentation.
18. Provide all documentation submitted to either WDNR or EPA regarding compliance with the National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources (40 C.F.R. Part 63, Subpart VVVVVV).

19. List each owner of the facility for the last five years, the dates of their respective ownership, and the method of ownership transfer, if applicable.
 20. List each operator of the facility for the last five years and the dates of their respective operation.
-

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

~~Information necessary to determine the identity, amount, frequency, concentration~~
or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A),(B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

CERTIFICATE OF MAILING

I, Paul Harris, certify that I sent a Request to Provide
Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Joshua Hilden, EH&S Manager
Evonik Industries
900 South Palm Street
Janesville, Wisconsin 53548

7011-1550-0000-2639-2963

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Tom Roushar
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711

On the 12th day of August 2014.

Loretta Shaffer for
Loretta Shaffer
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7011-1550-0000-2639-2963

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Brillion Iron Works
200 Park Avenue
Brillion, WI 54110

ATTENTION:

Randy Brull
Vice President Operations

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Brillion Iron Works (Brillion or you) to submit certain information about the facility at 200 Park Avenue, Brillion, WI 54110. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 30 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Brillion owns and operates emission sources at the Brillion, Wisconsin facility. We are requesting this information to determine whether your emission sources are complying with the Wisconsin State Implementation Plan and the National Emission Standards for Hazardous Air Pollutants (NESHAPs).

Brillion must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 W. Jackson Boulevard
Chicago, Illinois 60604

Brillion must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

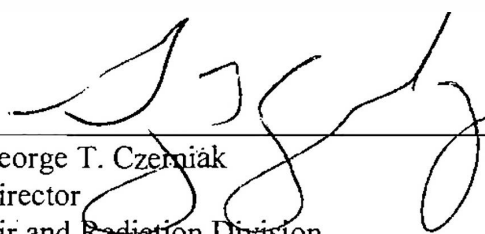
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Brillion to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Greg Gehrig at (312) 886-4434.

Date

9/25/04


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Brillion Iron Works must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a):

1. A facility diagram showing processes and associated air pollution control equipment and stacks permitted by the Wisconsin Department of Natural Resources (WDNR) in Air Pollution Control Operation Permit No.408021020-P01 (Permit), including the permit designation. The diagram shall also show significant features including walls, roadways and building openings.
2. The following facility operating information since January 1, 2012:
 - a. Total metal melted in each furnace per month.
 - b. Total metal poured in each pouring and cooling line per month.
 - c. Total sand usage per month.
 - d. Heat sheets.
 - e. Provide the information requested in subparagraphs 2.a to c in a Microsoft Excel format or similar.
3. Provide records for upsets since January 1, 2012 in the operation of any process units, pollution control equipment (PCE) or pollution monitoring system, including bag leak detection systems (BLDS), which could generate additional emissions. Specifically, provide:
 - a. The manufacturer's specifications of the process unit(s) in question, including recommended operating and maintenance procedures.
 - b. A description of the incident with explanation of the cause.
 - c. Corrective actions and any preventative measures taken.
 - d. An estimate of the additional emissions that occurred, with supporting calculations and background information.
 - e. Information for the following incidents observed on November 14, 2012 by EPA Inspectors:
 - i. The Plant 1 baghouses used to control the six Plant 1 electric induction furnaces (EIFs) and associated preheaters that were not operational.
 - ii. The high pressure alarm from the baghouse associated with the DISA 2170 pouring and casting operation that was activated.
 - iii. The high pressure alarm from the baghouse(s) used to control the five Plant 2 EIFs as well as the charging operation, preheating furnaces, inoculation stations and holding furnaces that was activated.

- f. Indicate why the incidents specified in subparagraphs 3.e.i to iii were not listed in Brillion's Title V Certificate of Compliance dated April 24, 2013 for October 1, 2012 thru March 31, 2013.
4. Provide the following plan, procedure, program or document:
- a. Malfunction, Prevention and Abatement Plan (MPAP) for all processes and PCE required to have a MPAP in the Permit. Include the process, PCE and stack identifications as shown in the Permit.
 - b. Scrap Metal Inspection Plan per 40 C.F.R. § 63.7700.
 - c. Operation and Maintenance (O&M) Plan per 40 C.F.R. § 63.7710 and NR 439.04(1)(d).
 - d. Fugitive Dust Control Plan.
 - e. Corrective Action Plan for each baghouse or similar PCE.
 - f. Startup, Shutdown and Malfunction Plan(s).
 - g. Preventive Maintenance Plan(s).
 - h. Mold Vent Ignition Plan(s).
 - i. Any plan, procedure or program to reduce emissions of benzene and/or formaldehyde.
 - j. Provide the current version of each plan, procedure or document requested in subparagraphs 4.a to i as well as any previous plans that may have been in place at Brillion dating back to January 1, 2011.
5. Provide a list and a report of each performance emission test conducted on any emissions unit for any reason at the facility since January 1, 2007. Include all test runs, even if a full test series was not completed. In the response, clearly identify the emissions unit, specify the date of the test, and test method(s) used. Emissions testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. Provide a complete copy of any report that resulted from the emissions test that meets the above criteria. Indicate whether such report was shared with WDNR. Each report should include all calculations relative to the stack test, a section describing the process parameters and production or processing rates at the time of the test, and any reports of visible emission observations conducted during each test. For each test during which the source was not operating at maximum design capacity, explain why production was limited. Summarize the test results in a Microsoft Excel format or similar.
6. Provide true, accurate and complete copies of all approved alternatives for monitoring, reporting, recordkeeping or testing requests that were approved by the EPA or the WDNR and true, accurate and complete copies of all correspondence concerning the requests.
7. For each baghouse, cartridge filter, mechanical collector or similar type of particulate matter control device at the facility, from January 1, 2012 provide the following information:
- a. The manufacturer's specifications, including recommended operating and maintenance procedures.

- b. All records of the operating pressure drop readings taken at each baghouse. Please provide these readings in a Microsoft Excel format or similar.
 - c. All log and reports of inspection, maintenance, repair and modification.
 - d. The method and results of fluorescent powder testing.
 - e. Any excess opacity or opacity deviation reports, including start-up, shut-down and malfunction.
 - f. Include the PCE, process and stack identifications as shown in the Permit.
8. Provide copies of manufacturer specifications for each scrubber at the facility. Provide the following information for each scrubber at the facility, from April 2005 (facility's first day of operation to present):
- a. The manufacturer's specifications, including recommended operating and maintenance procedures;
 - b. If different from the manufacturer's specifications or not included in the manufacturer's specifications provide:
 - i. Minimum scrubber water flow rate (hourly average).
 - ii. pH of the scrubbing media.
 - iii. Operating pressure drop.
 - iv. Type and usage rate of scrubbing additive (i.e. sulfuric acid).
 - v. Change out records of scrubber water.
 - c. Daily logs and/or electronic data for the parameters observed and recorded as requested in subparagraphs 8.b.i to iii. Please provide this information in a Microsoft Excel format or similar.
 - d. Any permit deviation reports, including start-up, shut-down and malfunction reports.
 - e. Inspection, maintenance and repair logs.
9. Provide all opacity observations conducted in accordance with U.S. EPA Method 9 and the Permit since January 1, 2012. Provide the observation record sheets and summarize this information in a Microsoft Excel format or similar.
10. Provide reports of all tests done to comply with formaldehyde standards enforced by the Occupational Safety and Health Administration (OSHA) since January 1, 2007.
11. For each pouring and cooling operation, provide the following daily operating information since January 1, 2012:
- a. Pounds of combustible material per ton metal poured.
 - b. Percentage of each combustible component.
 - c. Average pounds of core per ton of metal poured.
 - d. The type of core resin system used.
 - e. The percent of resin used in weight of resin to weight of core sand.
 - f. The average sand to metal ratio.
 - g. Provide the information requested in subparagraphs 11.a to c in a Microsoft Excel format or similar.

12. Provide all information on the Zone of Operation testing, establishment and continual quality improvement activities associated with benzene and/or formaldehyde emissions at Brillion's pouring and cooling operations.

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

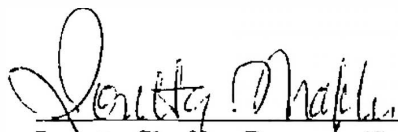
Randy Brull
Vice President Operation
Brillion Iron Works
200 Park Avenue
Brillion, WI 54110

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bill Baumann
Acting Director
Bureau of Air Management
Wisconsin Dept. of Natural Resources
101 S. Webster St.
PO Box 7921 (AM/7)
Madison, WI 53702

Stanley Mermall
Air Management Engineer
Bureau of Air Management
Wisconsin Dept. of Natural Resources
Oshkosh Service Center
625 East County Road Y, Suite 700
Oshkosh, WI 54901

On the 26 day of September 2014.



Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009168000076729079

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Hydro-Platers, Inc.
3525 West Kiehnau Avenue
Milwaukee, Wisconsin 53209

ATTENTION:

Terry Adrian
General Manager

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Hydro-Platers, Inc. (Hydro-Platers or you) to submit certain information about the facility at 3525 West Kiehnau Avenue, Milwaukee, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 14 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Hydro-Platers owns and operates an emission source at the Milwaukee, Wisconsin, facility. We are requesting this information to determine whether your emissions source is complying with the CAA, the National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks at 40 C.F.R. Part 63, Subpart N (Subpart N), and the National Emission Standards for Hazardous Air Pollutants: Area

Source Standards for Plating and Polishing Operations at 40 C.F.R Part 63, Subpart 6W (Subpart 6W).

Hydro-Platers must send all required information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Hydro-Platers must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act, and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards, and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

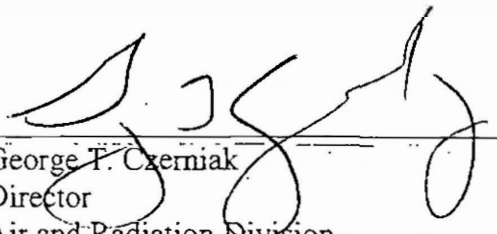
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject Hydro-Platers to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Ray Cullen at (312) 886-0538.

Date

11/19/17


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document or electronically stored information (ESI) produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where documents, ESI, or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents, ESI, or information are not available or in your possession and identify any source that either possesses or is likely to possess the documents, ESI, or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents or ESI responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents or ESI in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document or ESI to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to the response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents or ESI claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

DEFINITIONS

All terms used in this request for information will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, 40 C.F.R. Part 52 (which incorporates the federally-approved State Implementation Plan), Subpart N, or Subpart 6W. Reference is made to EPA regulatory provisions only; however, you should apply the applicable federally-approved state provisions, when appropriate. Definitional clarification is specified below.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with

the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating, or relevant to.
4. The term "malfunction," as defined at 40 C.F.R. § 63.2, means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded.

Appendix B

Hydro-Platers must submit the following information about the facility at 3525 West Kiehnau Avenue, Milwaukee, Wisconsin (the Facility), pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a), within 14 calendar days of receipt of this letter:

1. All documents pertaining to the operating time (i.e., whenever current and/or voltage was applied) of each chromium-electroplating tank at the Facility over the 5-year period prior to the date of receipt of this request;
2. The maximum cumulative potential rectifier capacity of the Facility, which is defined as the summation of the total installed rectifier capacity associated with the hard chromium-electroplating tanks at the Facility, expressed in amperes, multiplied by the maximum potential operating schedule of 8,400 hours per year and 0.7;
3. All documents pertaining to inspections of the mesh-pad systems equipped on the chromium-electroplating tanks at the Facility over the 5-year period prior to the date of receipt of this request;
4. All documents pertaining to the duration, cause, and corrective action taken of each malfunction of the mesh-pad systems equipped on the chromium-electroplating tanks at the Facility and associated monitoring equipment over the 5-year period prior to the date of receipt of this request;
5. Copies of the reports of the results of all performance tests performed for each mesh-pad system equipped on the chromium-electroplating tanks at the Facility;
6. Copies of documents listing, summarizing, or pertaining to daily pressure drop readings for each mesh-pad system at the Facility from November 1, 2013 to the date of receipt of this request;
7. A copy of the current operation and maintenance plan for the Facility required under Subpart N, along with copies of all superseded versions over the 5-year period prior to the date of receipt of this request;
8. For the chromium-electroplating tanks at the Facility, copies of all Initial Notifications required under Subpart N that it submitted to EPA or the Wisconsin Department of Natural Resources (WDNR), including the dates on which these reports were submitted;
9. For the chromium-electroplating tanks at the Facility, copies of all Notifications of Compliance Status required under Subpart N that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
10. All documents pertaining to the date/time that a wetting agent is added to the bath of the sulfamate nickel-electroplating tanks, along with the name of the wetting agent manufacturer and the product name, over the 5-year period prior to the date of receipt of this request;

11. For the sulfamate nickel-electroplating tanks, the electroless nickel-plating tanks, and the dry mechanical polishers at the Facility, copies of all Initial Notifications required under Subpart 6W that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
12. For the sulfamate nickel-electroplating tanks, the electroless nickel-plating tanks, and the dry mechanical polishers at the Facility, copies of all Notifications of Compliance Status required under Subpart 6W that it submitted to EPA or WDNR, including the dates on which these reports were submitted;
13. For the sulfamate nickel-electroplating tanks, the electroless nickel-plating tanks, and the dry mechanical polishers at the Facility, copies of all annual certification of compliance reports required under Subpart 6W that it prepared and/or submitted to EPA or WDNR along with any deviation reports, including the dates on which these reports were submitted.

Appendix C

Confidential Business and Personal Privacy Information Assertion Requirements

You may assert a business confidentiality claim covering any part of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emissions data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emissions data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

If you wish to make a confidentiality claim, you shall submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the CAA, and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent; and that disclosure of the information is likely to cause substantial harm to your competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Your failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identifies as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as _____ confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in the answer to question 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as

substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to its detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for this assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. If there any other information you deem relevant to EPA's determination regarding its claim of business confidentiality?

If you receive a request for a substantiation letter from EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate personnel, medical, and similar files from the responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Terry Adrian
General Manager
Hydro-Platers, Inc.
3525 West Kiehnau Avenue
Milwaukee, Wisconsin 53295

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First-Class Mail to:

Dan Schramm
Supervisor
Wisconsin Department of Natural Resources
2300 North Dr. Martin Luther King Jr. Drive
Milwaukee, Wisconsin 53212

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (AM/7)
Madison, Wisconsin 53707-7921

on the 19 day of November 2014.

Kathy Jones
for Loretta Shaffer
Administrative Program Assistant
AECAB, PAS

Certified Mail Receipt Number: 7011 1150 0000 2640 5656

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Wisconsin Power and Light Company
Nelson Dewey Generating Station
11999 County Road VV
Cassville, Wisconsin 53806**

ATTENTION:

**Jim Wamsley
Plant Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Wisconsin Power and Light Company (WPL or you) to submit certain information about the facility at 11999 County Road VV, Cassville, Wisconsin (the Facility). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

WPL owns and operates an emission source at the Cassville, Wisconsin facility. We are requesting this information to determine whether your emission source is complying with, but not limited to, the CAA, the Wisconsin State Implementation Plan, and its Title V permit.

WPL must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from WPL, a specific entity, as part of a discrete administrative action or investigation.


We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject WPL to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Ray Cullen at
(312) 886-0538 or at cullen.raymond@epa.gov.

Date

3/13/05


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, e-mail, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB

storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B.

Information You Are Required to Submit to EPA

The following monitoring, results, and general information for Wisconsin Power and Light Company (WPL) shall be installed/provided in accordance with the foregoing Request for Information pursuant to the Clean Air Act within the specified time frames:

Within 15 days from the date of receipt of this request, WPL shall certify its intent to comply with this request.

Within 30 days from the date of receipt of this request, for the 5-year period up to the date of receipt of this request, provide the following:

1. A copy of the current Fugitive Dust Plan that describes continuous fugitive emissions control for all sources of dust at the Facility; including all roadways, all material storage piles, and all material handling operations;
2. All records of the application of water or other type of dust suppressant to the roadways, material stockpiles, and fly ash at the Facility, including the date of the application and quantity applied;
3. All records of the mass of fly ash watered, in tons per shift;
4. All records of visible emission evaluations done using EPA Method 9 or 22 at the Facility;
5. The results of all performance testing conducted for particulate matter at the Facility;
6. For Unit 1 and Unit 2 at the Facility:
 - a. The results of all performance testing conducted for:
 - i. Sulfur dioxide (SO₂);
 - ii. Nitrogen oxides (NO_x); and
 - iii. Carbon monoxide (CO).
 - b. Daily records of the amount of coal, petroleum coke (petcoke), No. 2 fuel oil, wood fuel, tire-derived fuel, and any other fuel burned, by weight and volume;
 - c. For any day when petcoke or tire-derived fuel is burned, the heat content of each fuel burned that day, in British Thermal Units (BTU) per pound for solid fuels and BTU per thousand gallons for liquid fuels;
 - d. For any day when wood fuel is burned:
 - i. The heat content of each fuel burned that day, in BTU per pound for solid fuels and BTU per thousand gallons for liquid fuels;
 - ii. All records of the temperature of the exhaust gas of each boiler; and
 - iii. All records of the concentration of CO in the exhaust gas of each electrostatic precipitator (ESP).

- e. Daily records of the primary and secondary voltage, and the primary and secondary current for each ESP;
 - f. All records of any inspections and performed maintenance of the units and the electrostatic precipitators; and
 - g. Quarterly excess emission and monitoring system performance reports for:
 - i. The continuous opacity monitoring system;
 - ii. The SO₂ continuous emission monitoring system (CEMS); and
 - iii. The NO_x CEMS.
7. For the fly ash storage bin at the Facility:
- a. All records of the pressure drop across the baghouse;
 - b. All records of inspections, repairs, and maintenance, including bag replacement, performed on the baghouse.

PM₁₀ Monitors and Siting

- 8. Within 30 days of receipt of this request, WPL shall submit proposed monitoring site locations at the Facility for EPA review and approval prior to establishing the monitoring sites;
- 9. Within 30 days of receipt of this request, WPL shall submit to EPA a map showing the property lines of the Facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites;
- 10. Within 30 days of EPA approval of the monitoring site locations specified in paragraph 8, WPL shall install, operate, and maintain at least one ambient monitoring site at the Facility that shall contain at least one continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor and at least one Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day;
- 11. The monitoring sites and monitoring equipment shall conform with the following requirements:
 - a. The PM₁₀ real-time and filter-based instruments shall meet the specifications of FRM/FEM monitors on this list:
www.epa.gov/ttn/amtic/files/ambient/criteria/reference-equivalent-methods-list.pdf;
 - b. WPL shall follow all monitoring, siting, and quality assurance criteria in 40 CFR Part 58, Appendix E;
 - c. PM₁₀ concentrations from filter-based sampling shall be determined according to 40 CFR 50, Appendix J to Part 50 – “Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere;”
 - d. All data collected shall be consistent with units in the National Ambient Air Quality Standards for PM₁₀; and
 - e. A data logger shall be attached to the monitors to record readings from the continuous monitors.

12. WPL shall also follow the operating procedures identified in the "Quality Assurance Handbook for Air Pollution Measurement Systems" (located at <http://www.epa.gov/ttn/amtic/qabook.html>), 40 CFR Part 58, Appendix A, and any specified procedures in the manufacturer's maintenance manual for the units used to monitor PM₁₀;
13. WPL shall be responsible for all operation and maintenance associated with the PM₁₀ monitors. Maintenance shall include, at a minimum, the replacement of any equipment and cleaning on a schedule specified in the manufacturer's maintenance manual;
14. WPL shall order and pay for any necessary replacement parts, accessories, maintenance, etc;
15. WPL shall properly change the PM₁₀ filters in all sampling devices;
16. WPL shall archive all filters from the PM₁₀ filter-based instruments for at least two years;
17. WPL may apply to EPA to terminate the requirements of this Request, however, at least one year of information must be collected under this Request before such an application is made;

Wind Speed and Direction Monitoring

18. WPL shall install a meteorological tower at a location representative of local wind conditions. At a minimum, the meteorological tower must continuously measure and record wind speed and wind direction at one-hour intervals throughout the entire ambient monitoring period. WPL shall correlate 1-hr and 24-hr ambient PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM₁₀ concentrations. The meteorological tower must also include calibrated ambient temperature and pressure instrumentation for purposes of determining corrected (actual) PM₁₀ concentrations as recorded by the monitors. WPL shall maintain and/or submit reports and records in accordance with the paragraphs 19-27, below;
19. With respect to the meteorological monitoring site, WPL shall follow the Quality Assurance Handbook for Air Pollution Measurement Systems Volume IV: Meteorological Measurements Version 2.0 (Final) found at: [http://www.epa.gov/ttnamti1/files/ambient/met/Volume%20IV Meteorological Measurements.pdf](http://www.epa.gov/ttnamti1/files/ambient/met/Volume%20IV%20Meteorological%20Measurements.pdf);
20. The internal clocks of all PM₁₀ analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log;

21. Continuous PM₁₀ data collected during wind speeds of less than 0.5 meters per second shall be segregated from other wind data for purposes of wind speed and wind direction correlations;
22. WPL shall be responsible for maintenance associated with the meteorological tower on a schedule specified in the manufacturer's maintenance manual. WPL shall order and pay for any necessary replacement parts, accessories, maintenance, etc.;

General Requirements Applicable to All Requests

23. Within 30 days of EPA approval of the monitoring sites, WPL shall submit a Quality Assurance Project Plan (QAPP) to EPA. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 - December 2002. The guidance is available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>. Any measures identified by this information request should be incorporated into the QAPP;
24. WPL shall provide EPA and/or the Wisconsin Department of Natural Resources access to the monitoring sites and respond to any inquiries regarding monitor siting, operations, or maintenance. In the event that an inspector or auditor identifies problems, WPL shall take appropriate corrective actions. Any changes made to monitor siting, operations, or maintenance shall be approved by EPA prior to the change;
25. WPL shall keep a daily log and monthly reports of the following information:
 - a. Each site visit and operator activities;
 - b. Any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. Any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. Any calibration data provided by the manufacturer or performed by WPL.
26. Hourly data from each monitor and meteorological monitoring site, and 24-hour data from gravimetric monitors shall be downloaded as ASCII comma-delimited files and provided to EPA on CD and by email every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a single variable according to the header row. All filter analysis data, including any specification data shall also be provided;
27. Monthly reports specified in paragraph 26 above shall be submitted to EPA for a period of one year. Each report is due within 14 days of the end of the month being reported. At the end of the one year time frame, WPL may seek termination or modification of this request. WPL shall submit all documents due under this request and the monthly reports to cullen.raymond@epa.gov, cantello.nicole@epa.gov, renforcement@epa.gov, and:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

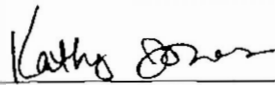
Jim Wamsley
Plant Manager
Wisconsin Power and Light Company
Nelson Dewey Generating Station
11999 County Road VV
Cassville, Wisconsin 53806

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Tom Roushar
Wisconsin Department of Natural Resources
3911 Fish Hatchery Road
Fitchburg, Wisconsin 53711

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (A.M17)
Madison, Wisconsin 53707-7921

on the 16th day of March 2015.



for Loretta Shaffer
Program Technician
AECAB, PAS

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Carmeuse Lime and Stone
4110 Rockwood Road
Manitowoc, Wisconsin 54220**

ATTENTION:

**Brenda Doucette-Carter
Plant Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Carmeuse Lime and Stone (Carmeuse or you) to submit certain information about the facility at 4110 Rockwood Road, Manitowoc, Wisconsin (the Facility). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Carmeuse owns and operates an emission source at the Manitowoc, Wisconsin, facility. We are requesting this information to determine whether your emission source is complying with the CAA, including but not limited to the Wisconsin State Implementation Plan.

Carmeuse must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from a specific entity, Carmeuse, as part of a discrete administrative action or investigation.

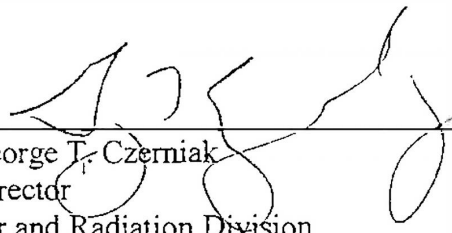
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject Carmeuse to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Ray Cullen at
(312) 886-0538 or at cullen.raymond@epa.gov.

Date

3/13/11


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, e-mail, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB

storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

The following monitoring, results, and general information for Carmeuse Lime and Stone (Carmeuse) shall be installed/provided in accordance with the foregoing Request for Information pursuant to the Clean Air Act within the specified time frames:

Within 10 days of receipt of this Request, Carmeuse shall submit a written certification of its intent to comply with this Request.

Within 30 days from the date of receipt of this request, for the 5-year period up to the date of receipt of this request, provide the following:

1. For Process No. 33 (Kiln No. 1) and Process No. 36 (Kiln No. 2), each:
 - a. Daily records of the mass rate of limestone feed;
 - b. Daily records of the amount of coal, petroleum coke (petcoke), coal blend, natural gas, and any other fuel burned, by weight and volume;
 - c. Daily records of the weight percent of sulfur of each type of fuel burned;
 - d. Daily records of the hours of operation;
 - e. Daily records of the hours of operation of the continuous opacity monitoring system (COMS);
 - f. The results of all performance testing for particulate matter (PM) conducted;
 - g. The results of all performance testing for sulfur dioxide (SO₂) conducted;
 - h. For Kiln No. 2 only, the results of all performance testing for nitrogen oxides (NO_x) conducted;
 - i. For Kin No. 2 only, the results of all combustion optimization tests conducted;
 - j. For Kiln No. 2 only, all records of the monitored percent by volume concentration of O₂ at the outlet;
 - k. For Kiln No. 2 only, all records of the monitored percent by volume concentration of CO at the outlet;
 - l. All records of the monitored inlet pressure for the baghouse associated with the kiln;
 - m. Quarterly excess emission and monitoring system performance reports for the COMS;
 - n. All records of visible emission evaluations done using EPA Method 9 or 22; and
 - o. All records of maintenance and repairs performed on the baghouse associated with the kiln, including instances when baghouse modules were taken off-line.
2. For Process P04 (Stone Silos 19 and 20), Process P05 (Stone Silo 22), Process P06 (coal/petcoke), and Process P10 (Quicklime), Process P33 (Kiln No. 1), Process P36 (Kiln No. 2), and Process P39 (Portable Belt Conveyor), each:
 - a. The results of all performance testing for PM;
 - b. All records of visible emission evaluations done using EPA Method 9 or 22;

- c. Semi-annual excess emission reports;
 - d. For Process P10 only, weekly records of filter inspections and records of any maintenance or repairs performed as a result;
 - e. For Process P33 and Process P36 only, weekly records of baghouse, ash-wetting system, and truck shroud inspections and records of any maintenance or repairs performed as a result; and
 - f. For Process P39 only, monthly records of PM emissions, in pounds.
3. For Process P11 (Pre-Hydrate Milling), Process P20 (Post-Hydrate Milling), Process P21 (Hydrate), and Process P38 (Corson Pressure Hydrator), each:
- a. The results of all performance testing for PM;
 - b. For Process P11, Process P20, and Process P38 only, the results of all performance testing for PM₁₀;
 - c. All records of the pressure drop across the baghouse associated with each process;
 - d. Weekly records of baghouse inspections; and
 - e. All records of visible emission evaluations done using EPA Method 9 or 22.
4. All records of actions taken pursuant to the Fugitive Dust Plan;

PM₁₀ Monitors and Siting

- 5. Within 30 days of receipt of this request, Carmeuse shall submit proposed monitoring site locations at the Facility for EPA review and approval prior to establishing the monitoring sites;
- 6. Within 30 days of receipt of this request, Carmeuse shall submit to EPA a map showing the property lines of the Facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites;
- 7. Within 30 days of EPA approval of the monitoring site locations specified in paragraph 5, Carmeuse shall install, operate, and maintain at least one ambient monitoring site at the Facility that shall contain at least one continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor and at least one Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day;
- 8. The monitoring sites and monitoring equipment shall conform with the following requirements:
 - a. The PM₁₀ real-time and filter-based instruments shall meet the specifications of FRM/FEM monitors on this list:
www.epa.gov/ttn/amtic/files/ambient/criteria/reference-equivalent-methods-list.pdf;
 - b. Carmeuse shall follow all monitoring, siting, and quality assurance criteria in 40 CFR Part 58, Appendix E;

- c. PM₁₀ concentrations from filter-based sampling shall be determined according to 40 CFR 50, Appendix J to Part 50 – “Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere;”
 - d. All data collected shall be consistent with units in the National Ambient Air Quality Standards for PM₁₀; and
 - e. A data logger shall be attached to the monitors to record readings from the continuous monitors.
9. Carmeuse shall also follow the operating procedures identified in the “Quality Assurance Handbook for Air Pollution Measurement Systems” (located at <http://www.epa.gov/ttn/amtic/qabook.html>), 40 CFR Part 58, Appendix A, and any specified procedures in the manufacturer’s maintenance manual for the units used to monitor PM₁₀;
10. Carmeuse shall be responsible for all operation and maintenance associated with the PM₁₀ monitors. Maintenance shall include, at a minimum, the replacement of any equipment and cleaning on a schedule specified in the manufacturer’s maintenance manual;
11. Carmeuse shall order and pay for any necessary replacement parts, accessories, maintenance, etc.;
12. Carmeuse shall properly change the PM₁₀ filters in all sampling devices;
13. Carmeuse shall archive all filters from the PM₁₀ filter-based instruments for at least two years;
14. Carmeuse may apply to EPA to terminate the requirements of this Request, however, at least one year of information must be collected under this Request before such an application is made;

Wind Speed and Direction Monitoring

15. Carmeuse shall install a meteorological tower at a location representative of local wind conditions. At a minimum, the meteorological tower must continuously measure and record wind speed and wind direction at one-hour intervals throughout the entire ambient monitoring period. Carmeuse shall correlate 1-hr and 24-hr ambient PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM₁₀ concentrations. The meteorological tower must also include calibrated ambient temperature and pressure instrumentation for purposes of determining corrected (actual) PM₁₀ concentrations as recorded by the monitors. Carmeuse shall maintain and/or submit reports and records in accordance with the paragraphs 16-24, below;
16. With respect to the meteorological monitoring site, Carmeuse shall follow the Quality Assurance Handbook for Air Pollution Measurement Systems Volume IV:

Meteorological Measurements Version 2.0 (Final) found at: [http://www.epa.gov/ttnamti1/files/ambient/met/Volume%20IV Meteorological Measurements.pdf](http://www.epa.gov/ttnamti1/files/ambient/met/Volume%20IV%20Meteorological%20Measurements.pdf):

17. The internal clocks of all PM₁₀ analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log;
18. Continuous PM₁₀ data collected during wind speeds of less than 0.5 meters per second shall be segregated from other wind data for purposes of wind speed and wind direction correlations;
19. Carmeuse shall be responsible for maintenance associated with the meteorological tower on a schedule specified in the manufacturer's maintenance manual. Carmeuse shall order and pay for any necessary replacement parts, accessories, maintenance, etc.;

General Requirements Applicable to All Requests

20. Within 30 days of EPA approval of the monitoring sites, Carmeuse shall submit a Quality Assurance Project Plan (QAPP) to EPA. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 - December 2002. The guidance is available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>. Any measures identified by this information request should be incorporated into the QAPP;
21. Carmeuse shall provide EPA and/or the Wisconsin Department of Natural Resources access to the monitoring sites and respond to any inquiries regarding monitor siting, operations, or maintenance. In the event that an inspector or auditor identifies problems, Carmeuse shall take appropriate corrective actions. Any changes made to monitor siting, operations, or maintenance shall be approved by EPA prior to the change;
22. Carmeuse shall keep a daily log and monthly reports of the following information:
 - a. Each site visit and operator activities;
 - b. Any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. Any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. Any calibration data provided by the manufacturer or performed by Carmeuse.
23. Hourly data from each monitor and meteorological monitoring site, and 24-hour data from gravimetric monitors shall be downloaded as ASCII comma-delimited files and provided to EPA on CD and by email every month. The files should have a single

"header" row, with all following rows being individual records, and all columns being a single variable according to the header row. All filter analysis data, including any specification data shall also be provided;

24. Monthly reports specified in paragraph 23 above shall be submitted to EPA for a period of one year. Each report is due within 14 days of the end of the month being reported. At the end of the one year time frame, EPA will re-evaluate and adjust, if necessary, this request. Carmeuse shall submit all documents due under this request and the monthly reports to cullen.ravmond@epa.gov, cantello.nicole@epa.gov, r5enforcement@epa.gov, and:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

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1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

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CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Brenda Doucette-Carter
Plant Manager
Carmeuse Lime and Stone
4110 Rockwood Road
Manitowoc, Wisconsin 54220

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Imelda Hofmeister
Wisconsin Department of Natural Resources
625 East County Road Y, Suite 700
Oshkosh, Wisconsin 54901

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (A.M17)
Madison, Wisconsin 53707-7921

on the 16th day of March 2015.

Kathy Jones
Loretta Shaffer
Program Technician
AECAB, PAS

Certified Mail Receipt Number: 7011 1150 0000 2640 6318

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**The C. Reiss Coal Co.
111 West Mason Street
Green Bay, Wisconsin 54303**

ATTENTION:

**Christian Zuidmulder
Facility Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring The C. Reiss Coal Co. (C. Reiss or you) to submit certain information about the facility at 111 West Mason Street, Green Bay, Wisconsin (the Facility). Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

C. Reiss owns and operates an emission source at the Green Bay, Wisconsin, facility. We are requesting this information to determine whether your emission source is complying with the CAA, including but not limited to the Wisconsin State Implementation Plan.

C. Reiss must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from C. Reiss, a specific entity, as part of a discrete administrative action or investigation.

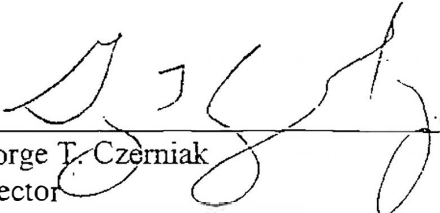
We may use any information submitted in response to this request in an administrative, civil, or criminal action.

Failure to comply fully with this information request may subject C. Reiss to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413:

You should direct any questions about this information request to Ray Cullen at
(312) 886-0538 or at cullen.raymond@epa.gov.

Date

3/13/15


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive, or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, e-mail, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The term "ESI" or "electronically stored information" includes any type of information that is stored in an electronic form and includes but is not limited to e-mails, web pages, word processing files, spreadsheets, PowerPoint presentations, audio and video files, databases, and metadata, etc. ESI may be stored in the memory of computers, magnetic disks (such as computer hard drives and floppy disks), optical disks (such as DVDs and CDs), flash memory (such as "thumb" or "flash" drives), and may include ESI located on network drives (including F, G, and H drives), your work desktops, laptops, home computers, and PDAs (e.g., Blackberrys and smart phones), any punch card, disc or disc pack, zip disk, I-pod, digital media player, portable media player, portable hard drive, USB

storage device, or other type of portable electronic storage media; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written or electronic material necessary to use such punch card, disc, or disc pack, tape, CD/DVD, zip disk, flash drive, floppy disk, I-pod, digital media player, portable media player, portable hard drive, USB storage device, or other type of portable electronic storage media, together with printouts of such punch card, disc, or disc pack, tape or other type of memory).

3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

The following monitoring, results, and general information for the C. Reiss Coal Co. (C. Reiss) shall be installed/provided in accordance with the foregoing Request for Information pursuant to the Clean Air Act within the specified time frames:

Within 15 days from the date of receipt of this request, C. Reiss shall certify its intent to comply with this request.

Within 30 days from the date of receipt of this request, for the 5-year period up to the date of receipt of this request, provide the following:

1. For each year from 2010 through 2014, all records of the amount of each type of bulk solid material (coal, petroleum coke, limestone, salt, etc.):
 - a. Unloaded from vessels, in tons per year (tpy);
 - b. Unloaded from rail cars, in tpy;
 - c. Unloaded from trucks, in tpy;
 - d. Loaded onto vessels, in tpy;
 - e. Loaded onto rail cars, in tpy; and
 - f. Loaded onto trucks, in tpy.
2. The maximum height at which bulk material stockpiles are kept in warm weather and cold weather months;
3. All records of height measurements of each bulk material stockpile at the Facility;
4. A map showing the locations of the current fixed water cannons at the Facility, with height measurements of each;
5. The current number of portable water cannons at the Facility;
6. All records of the amount of water and other dust suppression material (e.g., surfactants or encrusting agents) applied, and the method with which it was applied (fixed or portable water cannon, water truck, spray bars, etc.):
 - a. During bulk solid material loading/unloading;
 - b. To unpaved roads at and around the Facility; and
 - c. To active and inactive bulk solid material stockpiles at the Facility.
7. An explanation of how C. Reiss determines whether each type of bulk solid material is adequately wet to prevent fugitive dust emissions;

8. All records of the moisture content of each type of bulk solid material received at the Facility, along with all records of testing that C. Reiss did to determine the moisture content;
9. All records of wind speed and direction at the Facility measured or obtained by C. Reiss;
10. All records when loading/unloading occurred during high wind conditions (>45 miles per hour (mph) gusts, or >30 mph sustained speeds) at the Facility;
11. All records of when the bulk material stockpiles at the Facility were manipulated during high wind conditions;
12. All records of visible emission readings done at the Facility using EPA Method 9;
13. All records of the times when a sweeper truck was used at and around the Facility to prevent fugitive dust emissions; and
14. All records of inspections and maintenance of the dust control equipment employed at the Facility;

PM₁₀ Monitors and Siting

15. Within 30 days of receipt of this request, C. Reiss shall submit proposed monitoring site locations at the Facility for EPA review and approval prior to establishing the monitoring sites;
16. Within 30 days of receipt of this request, C. Reiss shall submit to EPA a map showing the property lines of the Facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites;
17. Within 30 days of EPA approval of the monitoring site locations specified in paragraph 15, C. Reiss shall install, operate, and maintain at least one ambient monitoring site at the Facility that shall contain at least one continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor and a Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day;
18. The monitoring sites and monitoring equipment shall conform with the following requirements:
 - a. The PM₁₀ real-time and filter-based instruments shall meet the specifications of FRM/FEM monitors on this list:
www.epa.gov/ttn/amtic/files/ambient/criteria/reference-equivalent-methods-list.pdf;
 - b. C. Reiss shall follow all monitoring, siting, and quality assurance criteria in 40 CFR Part 58, Appendix E;

- c. PM₁₀ concentrations from filter-based sampling shall be determined according to 40 CFR 50, Appendix J to Part 50 – “Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere;”
 - d. All data collected shall be consistent with units in the National Ambient Air Quality Standards for PM₁₀; and
 - e. A data logger shall be attached to the monitors to record readings from the continuous monitors.
19. C. Reiss shall also follow the operating procedures identified in the “Quality Assurance Handbook for Air Pollution Measurement Systems” (located at <http://www.epa.gov/ttn/amtic/qabook.html>), 40 CFR Part 58, Appendix A, and any specified procedures in the manufacturer’s maintenance manual for the units used to monitor PM₁₀;
 20. C. Reiss shall be responsible for all operation and maintenance associated with the PM₁₀ monitors. Maintenance shall include, at a minimum, the replacement of any equipment and cleaning on a schedule specified in the manufacturer’s maintenance manual;
 21. C. Reiss shall order and pay for any necessary replacement parts, accessories, maintenance, etc;
 22. C. Reiss shall properly change the PM₁₀ filters in all sampling devices;
 23. C. Reiss shall archive all filters from the PM₁₀ filter-based instruments for at least two years;
 24. C. Reiss may apply to EPA to cease compliance with this Request, however, at least one year of information must be collected under this Request before such an application is made;

Wind Speed and Direction Monitoring

25. C. Reiss shall install a meteorological tower at a location representative of local wind conditions. At a minimum, the meteorological tower must continuously measure and record wind speed and wind direction at one-hour intervals throughout the entire ambient monitoring period. C. Reiss shall correlate 1-hr and 24-hr ambient PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM₁₀ concentrations. The meteorological tower must also include calibrated ambient temperature and pressure instrumentation for purposes of determining corrected (actual) PM₁₀ concentrations as recorded by the monitors. C. Reiss shall maintain and/or submit reports and records in accordance with the paragraphs 26-34, below;
26. With respect to the meteorological monitoring site, C. Reiss shall follow the Quality Assurance Handbook for Air Pollution Measurement Systems Volume IV: Meteorological Measurements Version 2.0 (Final) found at:

[http://www.epa.gov/ttnamtl1/files/ambient/met/Volume%20IV Meteorological Measure-
ments.pdf](http://www.epa.gov/ttnamtl1/files/ambient/met/Volume%20IV%20Meteorological%20Measurements.pdf)

27. The internal clocks of all PM₁₀ analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log;
28. Continuous PM₁₀ data collected during wind speeds of less than 0.5 meters per second shall be segregated from other wind data for purposes of wind speed and wind direction correlations;
29. C. Reiss shall be responsible for maintenance associated with the meteorological tower on a schedule specified in the manufacturer's maintenance manual. C. Reiss shall order and pay for any necessary replacement parts, accessories, maintenance, etc.;

General Requirements Applicable to All Requests

30. Within 30 days of EPA approval of the monitoring sites, C. Reiss shall submit a Quality Assurance Project Plan (QAPP) to EPA. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 - December 2002. The guidance is available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>. Any measures identified by this information request should be incorporated into the QAPP;
31. C. Reiss shall provide EPA and/or the Wisconsin Department of Natural Resources access to the monitoring sites and respond to any inquiries regarding monitor siting, operations, or maintenance. In the event that an inspector or auditor identifies problems, C. Reiss shall take appropriate corrective actions. Any changes made to monitor siting, operations, or maintenance shall be approved by EPA prior to the change;
32. C. Reiss shall keep a daily log and monthly reports of the following information:
 - a. Each site visit and operator activities;
 - b. Any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. Any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. Any calibration data provided by the manufacturer or performed by C. Reiss.
33. Hourly data from each monitor and meteorological monitoring site, and 24-hour data from gravimetric monitors shall be downloaded as ASCII comma-delimited files and provided to EPA on CD and by email every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a

single variable according to the header row. All filter analysis data, including any specification data shall also be provided;

34. Monthly reports specified in paragraph 33 above shall be submitted to EPA for a period of one year. Each report is due within 14 days of the end of the month being reported. At the end of the one year time frame, EPA will re-evaluate and adjust, if necessary, this request. C. Reiss shall submit all documents due under this request and the monthly reports to cullen.raymond@epa.gov, cantello.nicole@epa.gov, r5enforcement@epa.gov, and:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

"Emission data" means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as "trade secret" or "proprietary" or "company confidential" and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

Christian Zuidmulder
Facility Manager
The C. Reiss Coal Co.
111 West Mason Street
Green Bay, Wisconsin 54303

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Imelda Hofmeister
Wisconsin Department of Natural Resources
625 East County Road Y, Suite 700
Oshkosh, Wisconsin 54901

Bill Baumann
Chief
Compliance and Enforcement Section
Bureau of Air Management
Wisconsin Department of Natural Resources
101 South Webster Street
P.O. Box 7921 (A.M17)
Madison, Wisconsin 53707-7921

on the 16th day of March 2015.

Kathy Jones
for Loretta Shaffer
Program Technician
AECAB, PAS

Certified Mail Receipt Number: 7011 1150 0000 2440 6370

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Manitowoc Public Utilities
701 Columbus Street
Manitowoc, Wisconsin 54220**

ATTENTION:

**Nilaksh Kothari
General Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency ~~is requiring~~ Manitowoc Public Utilities (MPU or you) to submit certain information about the facility at 701 Columbus Street, Manitowoc, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule provided in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information and monitoring. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

MPU owns and operates an emission source at the Manitowoc, Wisconsin facility. We are requesting this information to determine whether your emission source is complying with the Wisconsin State Implementation Plan, requirements of your Operating Permit Number 436035930-P23, and the CAA.

MPU must send all required information to: smith.molly@epa.gov,
cantello.nicole@epa.gov, and R5enforcement@epa.gov.

MPU must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

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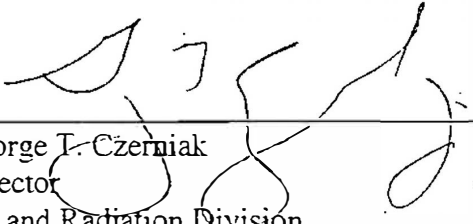
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject MPU to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Molly Smith at (312) 353-8773.

Date

3/13/15


George T. Czerniak
Director
Air and Radiation Division

Appendix A

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Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

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To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

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2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image

format. If Excel format are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
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2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Manitowoc Public Utilities (MPU) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) according to the schedule provided below for your facility located at 701 Columbus Street, Manitowoc, Wisconsin.

1. Within 10 days of receipt of this request, MPU shall submit a written certification of its intent to comply with this request. MPU shall submit the certification to smith.molly@epa.gov, cantello.nicole@epa.gov, and R5enforcement@epa.gov.

For Items 2 – 16, submit the following information within thirty (30) calendar days of receipt of this request.

2. Provide the following information for the time period of January 1, 2013 to January 1, 2015:
 - a. Every bulk solid material handled;
 - b. The annual tonnage throughput for each bulk solid material;
 - c. The handling methods used to receive, store, and ship each bulk solid material;
 - d. Identify which bulk solid materials are screened and/or crushed;
 - e. Identify any dust controls used to minimize emissions from stockpiles for each bulk solid material, such as dust suppressants or tarp covers; and
 - f. The maximum onsite storage for each bulk solid material.
3. Provide copies of all documentation relating to any stack testing, internal audits, emissions test runs, emissions characterizations, visible emission testing, or emissions studies, conducted or attempted at the facility for the period of January 1, 2010 to January 1, 2015 (i.e. stack tests, emission studies conducted on the plant or on specific production processes).
4. Provide copies of your Operating Permit Number 436035930-P23 annual compliance certifications, semiannual compliance certifications, and deviation reports from January 1, 2010 to January 1, 2015.
5. For Process P28/S10, the Diesel Engine, referenced in Permit Number 436035930-P23, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Provide continuous opacity monitor (COM) measurements (opacity per minute);

- b. Provide the monthly total amount of fuel oil (gallons) combusted; and
 - c. Provide the monthly hours of operation.
- 6. For Process P28/S10, the Diesel Engine, provide copies of all notifications required by 40 C.F.R. § 63.6645 and all reports required by 40 C.F.R. § 63.6650.
- 7. For Process B09/C09/S10, the Circulating Fluidized Bed Boiler #9, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format:
 - a. Provide CEMS data for the following pollutants, when applicable:
 - i. Sulfur dioxide (SO₂) (pounds per million BTU heat input);
 - ii. SO₂ (tons per month);
 - iii. Nitrogen oxide (NO_x) (pounds per million BTU heat input);
 - iv. Carbon monoxide (CO) (pounds per hour);
 - v. CO (pounds per million BTU); and
 - vi. CO (tons per month).
- 8. Provide the calculated monthly and 12-month average emission totals (tons) and supporting calculations from Process B09/C09/S10, the Circulating Fluidized Bed Boiler #9, as required by Permit Number 436035930-P23, for the following pollutants:
 - a. Particulate matter;
 - b. SO₂ (if CEMS data not provide for Item 7, above);
 - c. NO_x (if CEMS data not provide for Item 7, above);
 - d. Lead; and
 - e. Sulfuric acid mist.
- 9. For Process B28/C28, S20, the Circulating Fluidized Bed Boiler #8, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format:
 - a. Provide CEMS data for the following pollutants, when applicable:
 - i. SO₂ (pounds per million BTU heat input);
 - ii. SO₂ (tons per month);
 - iii. NO_x (pounds per million BTU heat input);
 - iv. NO_x (tons per month);
 - v. CO (pounds per hour);
 - vi. CO (pounds per million BTU); and
 - vii. CO (tons per month).
- 10. Provide the calculated monthly and 12-month average emission totals (tons) from Process B28/C28, S20, the Circulating Fluidized Bed Boiler #8, as required by Permit Number 436035930-P23, for the following pollutants:

- a. Particulate matter;
 - b. SO₂ (if CEMS data not provide for Item 9, above);
 - c. NO_x (if CEMS data not provide for Item 9, above);
 - d. Lead;
 - e. Volatile organic compounds; and
 - f. Sulfuric acid mist.
11. For Process P31/C31/S31, the North Ash Conveyor, provide the following information from January 1, 2013 to January 1, 2015 in an electronic format, where applicable:
 - a. All dates and times the system was shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.F.1.b.5.
 - b. All corrective actions taken as a result of the system being shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.F.1.c.4.
12. For Process P32/C32/S32, the South Ash Conveyor, provide the following information from January 1, 2013 to January 1, 2015 in an electronic format, where applicable:
 - a. All dates and times the system was shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.G.1.b.5.
 - b. All corrective actions taken as a result of the system being shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.F.1.c.4.
13. Provide a copy of the Fugitive Dust Plan required by Permit Number 436035930-P23, Condition I.H.1.b.4, Condition I.N.1.b.3, and Condition I.O.1.b.2.
14. Provide copies of any visible emissions testing (Reference Method 9 or 22) conducted at the facility between January 1, 2013 and January 1, 2015, if not already include in Item 3.
15. Provide a complete facility-wide emissions calculation for the time period January 1, 2013 to January 1, 2015. Emissions calculations must follow any equations listed in Permit Number 436035930-P23 and be submitted in an electronic excel document.
16. Provide a list of any complaints MPU has received from neighbors between the time period January 1, 2013 and January 1, 2015. The list should include the date the complaint was received, description of the complaint, and any corrective action taken by MPU to address the complaint.

For Items 17-36, the following monitoring, results, and general information for shall be installed/provided within the specified time frames:

PM₁₀ Monitors and Siting

17. MPU shall install ambient air monitors for particulate matter (PM) at its facility.
18. Within 30 days of receipt of this information request, MPU shall submit proposed monitoring site locations for EPA review and approval prior to establishing the monitoring sites. The proposal for monitoring site locations shall include a map showing the property lines of the facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites. At least one monitor shall be placed in the prevailing downwind location. MPU shall submit an annual wind rose and four seasonal wind roses showing wind patterns as reported for the past five years at the nearest available meteorological station.
19. Within 30 days of EPA approval of the monitoring site locations specified in Item 18, MPU shall install, operate, and maintain at least one ambient monitoring site at the facility. The site shall contain at least one continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor. The site shall contain at least one Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day.
20. The monitoring site and monitoring equipment shall conform with the following requirements:
 - a. The PM₁₀ real-time monitor shall meet all of the specifications of FRM/FEM monitors on this list:
www.epa.gov/ttn/amtic/files/ambient/criteria/reference-equivalent-methods-list.pdf;
 - b. MPU shall follow all monitoring, siting, and quality assurance criteria in 40 CFR Part 58, Appendix E;
 - c. PM₁₀ concentrations from filter-based sampling shall be determined according to 40 CFR Part 50, Appendix J – “Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere”;
 - d. All data collected shall be consistent with units in the National Ambient Air Quality Standards for PM₁₀; and
 - e. A data logger shall be attached to the monitors to record readings from the continuous monitors.
21. MPU shall follow all monitoring, siting, and quality assurance criteria as detailed in 40 CFR Part 58, Appendix A “Quality Assurance Requirements for SLAMS, SPMs, and PSD Air Monitoring” and Appendix D “Network Design Criteria for Ambient Air Quality Monitoring.”

22. The monitors shall be operated in accordance with operating procedures identified in the Quality Assurance Handbook for Air Pollution Measurement Systems "Volume I: A Field Guide to Environmental Quality Assurance" and "Volume II: Ambient Air Quality Monitoring Program."
23. MPU shall be responsible for all operation and maintenance associated with the PM10 monitors. MPU shall properly change the PM10 filters in all sampling devices. Maintenance shall include, at a minimum, the replacement of any equipment and cleaning on a schedule specified in the manufacturer's maintenance manual.
24. MPU shall order and pay for any necessary replacement parts, accessories, maintenance, etc.
25. MPU shall archive all filters from the PM10 filter-based instruments for at least two years.
26. Monitoring shall take place for at least one year from the date of installation.

Wind Speed and Direction Monitoring

27. MPU shall install a meteorological tower at a location representative of local wind conditions. At a minimum, the meteorological tower must continuously measure and record wind speed and wind direction at one-hour intervals throughout the entire ambient monitoring period. MPU shall correlate 1-hr and 24-hr ambient PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM10 concentrations (e.g., a pollution wind rose that displays the pollution concentration and wind direction frequency). The meteorological tower must also include calibrated ambient temperature and pressure instrumentation for purposes of determining corrected (actual) PM10 concentrations as recorded by the monitors. MPU shall maintain and/or submit reports and records in accordance with the paragraphs below.
28. With respect to the meteorological monitoring site, MPU shall follow the Quality Assurance Handbook for Air Pollution Measurement Systems Volume IV: Meteorological Measurements Version 2.0 (Final) found at:
http://www.epa.gov/ttnamtl1/files/ambient/met/Volume%20IV_Meteorological_Measurements.pdf.
29. The internal clocks of all PM10 analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log.

30. MPU shall be responsible for maintenance associated with the meteorological tower on a schedule specified in the manufacturer's maintenance manual. MPU shall order and pay for any necessary replacement parts, accessories, maintenance, etc.

General Requirements Applicable to All Requests

31. Within 30 days of EPA approval of the monitoring sites, MPU shall submit a Quality Assurance Project Plan (QAPP) to EPA. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 – December 2002. The guidance is available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>.
32. MPU shall provide EPA access to the monitoring sites and respond to any inquiries regarding monitor siting, operations, or maintenance. In the event that an inspector or auditor identifies problems, MPU shall take appropriate corrective actions. Any changes made to monitor siting, operations, or maintenance shall be approved by EPA prior to the change.
33. MPU shall keep a daily log and monthly reports of the following information:
 - a. Each site visit and operator activities;
 - b. Any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. Any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. Any calibration data provided by the manufacturer or performed by MPU.
34. Hourly data from each monitor and meteorological monitoring site, and 24-hour data from gravimetric monitors shall be downloaded as ASCII comma-delimited files and provided to EPA on CD every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a single variable according to the header row. All filter analysis data, including any specification data shall also be provided.
35. Monthly reports and data specified in Items 33 and 34 above shall be submitted to EPA for a period of at least one year. Each report is due within 14 days of the end of the month being reported. At the end of the twelfth month, MPU may apply to EPA for a modification or termination of this request. At that time, EPA will re-evaluate and adjust, if necessary, the Section 114(a) request.

36. MPU shall submit the monthly reports via electronic mail to smith.molly@epa.gov, cantello.nicole@epa.gov, and R5enforcement@epa.gov. MPU shall also submit these monthly reports to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 1141 of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:

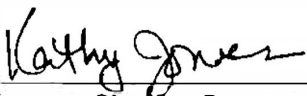
Nilaksh Kothari
General Manager
Manitowoc Public Utilities
701 Columbus Street
Manitowoc, Wisconsin 54220

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bill Baumann
Section Chief, Compliance and Enforcement
Wisconsin Department of Natural Resources
PO Box 7921
Madison, Wisconsin 53707

Imelda Stamm
Supervisor, South Air Team
Wisconsin Department of Natural Resources
625 E. County Road Y, Suite 700
Peshigo, Wisconsin 54157

On the 16th day of March 2015.


for Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7011 1150 0000 2640 6394

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

**Thilmany, LLC
Expera Specialty Solutions
600 Thilmany Road
Kaukauna, Wisconsin 54130**

ATTENTION:

**Keith Morgan
Mill Manager**

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Thilmany, LLC (Expera or you) to submit certain information about the facility at 600 Thilmany Road, Kaukauna, Wisconsin. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us according to the schedule provided in Appendix B.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information and monitoring. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Expera owns and operates an emission source at the Kaukauna, Wisconsin facility. We are requesting this information to determine whether your emission source is complying with the Wisconsin State Implementation Plan, requirements of your Operating Permit Number 445031180-P12, and the CAA.

Expera must send all required information to: smith.molly@epa.gov,
cantello.nicole@epa.gov, and R5enforcement@epa.gov.

Expera must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B, for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term "emissions data."

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from Expera, a specific entity as part of a discrete administrative action or investigation.

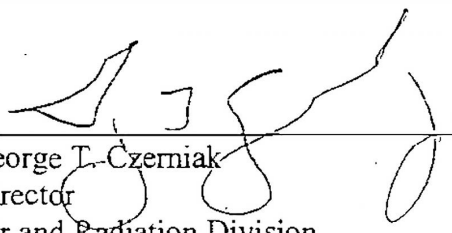
We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject Expera to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Molly Smith at (312) 353-8773.

Date

3/13/15


George T. Czerniak
Director
Air and Radiation Division

Appendix A

When providing the information requested in Appendix B, use the following instructions and definitions.

Instructions

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

Electronic Submissions

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel format, and not in image

format. If Excel format are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

Definitions

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, and the Wisconsin State Implementation Plan.

1. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.

Appendix B

Information You Are Required to Submit to EPA

Thilmany, LLC (Expera) must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a) according to the schedule provided below for your facility located at 600 Thilmany Road, Kaukauna, Wisconsin.

1. Within 10 days of receipt of this request, Expera shall submit a written certification of its intent to comply with this request. Expera shall submit the certification to smith.molly@epa.gov, cantello.nicole@epa.gov, and R5enforcement@epa.gov.

For Items 2 – 14, submit the following information within thirty (30) calendar days of receipt of this request.

2. Provide the following information for the time period of January 1, 2013 to January 1, 2015:
 - a. Every bulk solid material handled;
 - b. The annual tonnage throughput for each bulk solid material;
 - c. The handling methods used to receive, store, and ship each bulk solid material;
 - d. Identify which bulk solid materials are screened and/or crushed;
 - e. Identify any dust controls used to minimize emissions from stockpiles for each bulk solid material, such as dust suppressants or tarp covers; and
 - f. The maximum onsite storage for each bulk solid material.
3. Provide copies of all documentation relating to any stack testing, internal audits, emissions test runs, emissions characterizations, visible emission testing, or emissions studies, conducted or attempted at the facility for the period of January 1, 2010 to January 1, 2015 (i.e. stack tests, emission studies conducted on the plant or on specific production processes).
4. Provide copies of your Operating Permit Number 445031180-P12 annual compliance certifications, semiannual compliance certifications, and deviation reports from January 1, 2010 to January 1, 2015.
5. For the Stoker Power Boiler No. 7, provide the following information for January 1, 2013 to January 1, 2015, in an electronic excel format when applicable:
 - a. Wet scrubber unit CO₂ water flow rates (gallons per minute); and
 - b. Differential pressure across wet scrubber unit CO₂ (inches water column).

6. For the Single Cycle Power Boiler No. 9 and Twin Cycle Power Boiler No. 11, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Periods of time when boilers were operating without **all** associated control devices, include start (date and time) and end (date and time);
 - b. Provide continuous opacity monitor (COM) measurements (opacity per minute);
 - c. For each boiler, provide the average hourly sulfur dioxide (SO₂) emission rate (pounds per hour and pounds per million BTU) calculated using the equations from the Wisconsin Department of Natural Resources approved QA/QC plan;
 - d. Provide continuous emission monitor (CEMS) measurements:
 - i. SO₂ emissions in pounds per hour; and
 - ii. SO₂ emissions in pounds per million BTU; and
 - e. Identify when a bypass stack was in operation:
 - i. the hours of operation; and
 - ii. the number of days each calendar year used.
7. For No. 8 Non-Direct Contact Evaporator Recovery Boiler and No. 10 NDCE Recovery Boiler provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Periods of time when boilers were operating without **all** associated control devices, include start (date and time) and end (date and time); and
 - b. Provide COM measurements (opacity per minute).
8. For No. 8 and No. 1 Smelt Dissolving Tanks provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Continuous parameter monitoring system (CPMS) results for:
 - i. Pressure drop (inches of water column); and
 - ii. Water flow rate (gallons per minute).
9. For the C13 Lime Kiln provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Provide the hours of operation, by month;
 - b. CEMS data for total reduced sulfur (TRS) (parts per million by volume on a dry basis corrected to 10% oxygen) and oxygen discharge concentrations;
 - c. CPMS results for:
 - i. Liquid pressure (pounds per square inch) to the Ahlstrom nozzles in the C13 wet scrubber;

- ii. Air pressure (pounds per square inch) to the Turbotak nozzles in the C13 wet scrubber; and
 - iii. Liquid flow rate (gallons per minute) to both the Ahlstrom and Turkotak nozzles in the C13 wet scrubber.
- 10. For the Digester, multiple-effect evaporator, and turpentine non-condensable gas (NCG) collection system routed to Lime Kiln P12 and Power Boiler B11 provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Continuous monitoring system (CMS) results for collected pounds of hazardous air pollutant (HAP) per ton of oven dry pulp (ODP) on a daily average.
- 11. For the UNOX biological treatment tank/reactor, identify the compliance method selected by the facility in Permit Number 445031180-P12. For the selected compliance method, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:
 - a. Daily results of the methanol percent reduction calculation found at H.9.(a) in the facility's permit; or
 - b. Daily results of the Optiquest model.
- 12. Provide copies of any visible emissions testing (Reference Method 9 or 22) conducted at the facility between January 1, 2013 and January 1, 2015, if not already include in Item 3.
- 13. Provide a complete facility-wide emissions calculation for the time period January 1, 2013 to January 1, 2015. Emissions calculations must follow any equations listed in Permit Number 445031180-P12 and be submitted in an electronic excel document.
- 14. Provide a list of any complaints Expera has received from neighbors between the time period January 1, 2013 and January 1, 2015. The list should include the date the complaint was received, description of the complaint, and any corrective action taken by Expera to address the complaint.

For Items 15-34, the following monitoring, results, and general information for shall be installed/provided within the specified time frames:

PM₁₀ Monitors and Siting

- 15. Expera shall install ambient air monitors for particulate matter (PM) at its facility.
- 16. Within 30 days of receipt of this information request, Expera shall submit proposed monitoring site locations for EPA review and approval prior to

establishing the monitoring sites. The proposal for monitoring site locations shall include a map showing the property lines of the facility, the locations of nearby residences and industrial properties, and proposed locations of the monitoring sites. At least one monitor shall be placed in the prevailing downwind location. Expera shall submit an annual wind rose and four seasonal wind roses showing wind patterns as reported for the past five years at the nearest available meteorological station.

17. Within 30 days of EPA approval of the monitoring site locations specified in Item 16, Expera shall install, operate, and maintain at least one ambient monitoring site at the facility. The site shall contain at least one continuous Federal Equivalent Method (FEM) real-time PM₁₀ monitor. The site shall contain at least one Federal Reference Method (FRM) PM₁₀ filter-based monitor operating every third day.
18. The monitoring site and monitoring equipment shall conform with the following requirements:
 - a. The PM₁₀ real-time monitor shall meet all of the specifications of FRM/FEM monitors on this list;
www.epa.gov/ttn/amtic/files/ambient/criteria/reference-equivalent-methods-list.pdf;
 - b. Expera shall follow all monitoring, siting, and quality assurance criteria in 40 CFR Part 58, Appendix E;
 - c. PM₁₀ concentrations from filter-based sampling shall be determined according to 40 CFR Part 50, Appendix J – “Reference Method for the Determination of Particulate Matter as PM₁₀ in the Atmosphere”;
 - d. All data collected shall be consistent with units in the National Ambient Air Quality Standards for PM₁₀; and
 - e. A data logger shall be attached to the monitors to record readings from the continuous monitors.
19. Expera shall follow all monitoring, siting, and quality assurance criteria as detailed in 40 CFR Part 58, Appendix A “Quality Assurance Requirements for SLAMS, SPMs, and PSD Air Monitoring” and Appendix D “Network Design Criteria for Ambient Air Quality Monitoring.”
20. The monitors shall be operated in accordance with operating procedures identified in the Quality Assurance Handbook for Air Pollution Measurement Systems “Volume I: A Field Guide to Environmental Quality Assurance” and “Volume II: Ambient Air Quality Monitoring Program.”
21. Expera shall be responsible for all operation and maintenance associated with the PM₁₀ monitors. Expera shall properly change the PM₁₀ filters in all sampling devices. Maintenance shall include, at a minimum, the replacement of any

equipment and cleaning on a schedule specified in the manufacturer's maintenance manual.

22. Expera shall order and pay for any necessary replacement parts, accessories, maintenance, etc.
23. Expera shall archive all filters from the PM₁₀ filter-based instruments for at least two years.
24. Monitoring shall take place for at least one year from the date of installation.

Wind Speed and Direction Monitoring

25. Expera shall install a meteorological tower at a location representative of local wind conditions. At a minimum, the meteorological tower must continuously measure and record wind speed and wind direction at one-hour intervals throughout the entire ambient monitoring period. Expera shall correlate 1-hr and 24-hr ambient PM₁₀ measurements with wind speed and wind direction data to determine source direction and the effects of wind speed on PM₁₀ concentrations (e.g., a pollution wind rose that displays the pollution concentration and wind direction frequency). The meteorological tower must also include calibrated ambient temperature and pressure instrumentation for purposes of determining corrected (actual) PM₁₀ concentrations as recorded by the monitors. Expera shall maintain and/or submit reports and records in accordance with the paragraphs below.
26. With respect to the meteorological monitoring site, Expera shall follow the Quality Assurance Handbook for Air Pollution Measurement Systems Volume IV: Meteorological Measurements Version 2.0 (Final) found at:
http://www.epa.gov/ttnamtl/files/ambient/met/Volume%20IV_Meteorological_Measurements.pdf.
27. The internal clocks of all PM₁₀ analyzers, data loggers, and the wind speed and wind direction data logger shall be synchronized to within 60 seconds of each other (local time and not adjusted for Daylight Savings Time) and shall be checked against a calibrated reference clock at least once every 30 days. Instrument clocks that are more or less than 60 seconds from the reference clock shall be reset to within 60 seconds of the reference clock. Each of these inconsistencies and each reset time shall be noted in the study log.
28. Expera shall be responsible for maintenance associated with the meteorological tower on a schedule specified in the manufacturer's maintenance manual. Expera shall order and pay for any necessary replacement parts, accessories, maintenance, etc.

General Requirements Applicable to All Requests

29. Within 30 days of EPA approval of the monitoring sites, Expera shall submit a Quality Assurance Project Plan (QAPP) to EPA. The guidance document for writing a QAPP is "EPA Guidance for Quality Assurance Project Plans," EPA QA/G-5, EPA/600/R-02/009 - December 2002. The guidance is available at <http://www.epa.gov/QUALITY/qs-docs/g5-final.pdf>.
30. Expera shall provide EPA access to the monitoring sites and respond to any inquiries regarding monitor siting, operations, or maintenance. In the event that an inspector or auditor identifies problems, Expera shall take appropriate corrective actions. Any changes made to monitor siting, operations, or maintenance shall be approved by EPA prior to the change.
31. Expera shall keep a daily log and monthly reports of the following information:
 - a. Each site visit and operator activities;
 - b. Any monitoring system downtime (date, time, duration, and reason) along with any corrective actions taken;
 - c. Any possible interferences observed by the operator such as nearby construction or demolition; and
 - d. Any calibration data provided by the manufacturer or performed by Expera.
32. Hourly data from each monitor and meteorological monitoring site, and 24-hour data from gravimetric monitors shall be downloaded as ASCII comma-delimited files and provided to EPA on CD every month. The files should have a single "header" row, with all following rows being individual records, and all columns being a single variable according to the header row. All filter analysis data, including any specification data shall also be provided.
33. Monthly reports and data specified in Items 31 and 32 above shall be submitted to EPA for a period of at least one year. Each report is due within 14 days of the end of the month being reported. At the end of the twelfth month, Expera may apply to EPA for a modification or termination of this request. At that time, EPA will re-evaluate and adjust, if necessary, the Section 114(a) request.

34. Expera shall submit the monthly reports via electronic mail to smith.molly@epa.gov, cantello.nicole@epa.gov, and R5enforcement@epa.gov. Expera shall also submit these monthly reports to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Appendix C

Confidential Business and Personal Privacy Information

Assertion Requirements

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, *e.g.*, until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

Personal Privacy Information

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

CERTIFICATE OF MAILING

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the
Clean Air Act by Certified Mail, Return Receipt Requested, to:


Keith Morgan, Mill Manager
Thilmany, LLC
Expera Specialty Solutions
600 Thilmany Road
P.O. Box 600
Kaukauna, Wisconsin 54130

I also certify that I sent a copy of the Request to Provide Information Pursuant to the
Clean Air Act by First-Class Mail to:

Bill Baumann
Section Chief, Compliance and Enforcement
Wisconsin Department of Natural Resources
PO Box 7921
Madison, Wisconsin 53707

Imelda Stamm
Supervisor, South Air Team
Wisconsin Department of Natural Resources
625 E. County Road Y, Suite 700
Peshigo, Wisconsin 54157

On the 16th day of March 2015.



for Loretta Shaffer, Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER:

7011 1150 0000 2640 6387